

Regina Dunay  
Chairwoman

Chris Rader  
Co-Chair

David Gragg  
Board Member

Marion Rayburn  
Board Member

Dr. Aileen Trivedi  
Board Member

**PUBLIC NOTICE**  
**PLANNING AND ZONING BOARD MEETING – May 14, 2018**

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**WELCOME!** We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

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The Planning and Zoning Board as the Local Planning Agency for the City of Edgewood will meet at 405 Larue Avenue, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

**Monday, May 14, 2018 at 6:30 pm**

1. Call To Order
2. Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Approval of Minutes
  - April 9, 2018 – Regular P&Z Meeting
5. New Business
  - Variance 2018-05 Boat Dock Variance at 1400 Windsong Rd
  - Applications For Waiver – Parking of Recreational Vehicles
    - i. Edward and Virginia Rice  
5612 Lake Mary Jess Shores Court
    - ii. Doug Spencer  
5604 Lake Mary Jess Shores Court
    - iii. Allen and Nancy Crowell  
5550 Lake Mary Jess Shores Court
  - Ordinance No 2018-7 Electronic Signs

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA,  
RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE  
CITY OF EDGEWOOD CODE OF ORDINANCES TO ALLOW  
AND REGULATE ELECTRONIC CHANGEABLE MESSAGE**

**SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.**

6. Unfinished Business
  - Tying up loose ends with the Edgewood District
  - Schedule Edgewood District Workshop – proposed Saturday, June 2, 2018 at 9:00 am.
7. Comments/Announcements

**FUTURE MEETINGS:** *(SCHEDULE CONTINGENT UPON SUBMITTAL OF ITEMS THAT REQUIRE CONSIDERATION OF THE PLANNING & ZONING BOARD AS THE LOCAL PLANNING AGENCY FOR THE CITY OF EDGEWOOD)*

- June 11, 2018
- July 9, 2018

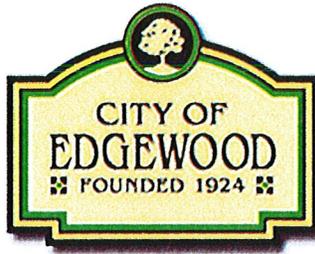
**GENERAL RULES OF ORDER**

The Board is pleased to hear non-repetitive comments related to business before the Board; however, a five (5) minute time limit per person has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by ROBERTS RULES OF ORDER in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-851-2920 at least 24 hours in advance of the meeting.

WE ASK THAT ALL ELECTRONIC DEVICES (IE. CELL PHONES, PAGERS) BE SILENCED DURING OUR MEETING!

Thank you for participating in your government!

APPEALS: According to Edgewood City Code Section 26-24 (2), “any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk.



## PLANNING & ZONING BOARD DRAFT MINUTES

April 9, 2018

### **Planning and Zoning Board Members:**

Regina Dunay, Chairperson (Quorum)  
Chris Rader, Co-Chair  
David Gragg, Board Member  
Marion Rayburn, Board Member  
Aileen Trivedi, Board Member

### **Staff:**

Drew Smith, City Attorney  
Ellen Hardgrove, City Planner  
David Mahler, City Engineer  
John Freeburg, Police Chief  
Sandra Repp, Deputy City Clerk  
Mark Hardgrove, Transportation Consultant (City of Edgewood)

### **Applicants for Variances:**

Marc Miller (boat dock variance applicant)  
Chris Schroeder (structure variance applicant)

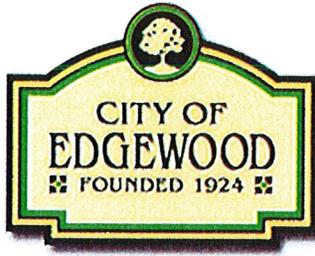
### **Orange County Public Schools (OCPS) Applicants:**

Harold Jenkins, OCPS  
Laura Kelly, OCPS  
Jessma Lambert, OCPS  
Dr. Carol McGowin, OCPS  
Woody Rodriguez, OCPS  
Tyrone Smith, OCPS  
Robert Stagliano, OCPS PM Team  
Mohammed Abdallah, Traffic and Mobility Consultants/OCPS  
Jeremy Anderson, Hanlex Civil, LLC  
Beth Love, Orange Reporting OCPS  
Chris Wilson, Marchena and Graham P.A./OCPS  
Kal Hussein (property owner)

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### **CALL TO ORDER**

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Administrative Assistant, Sandy Repp, announced that there was a quorum with all members present.



## APPROVAL OF MINUTES

- February 12, 2018

The following changes were submitted by Chairwoman Dunay and Board Member Gragg.

Page 2, New Business, paragraph 2 finish the sentence with “ zoning chair”; Page 3, 2<sup>nd</sup> paragraph needs a period at the end of the last sentence; page 4, 4<sup>th</sup> paragraph should read “they” instead of “the”; page 6, 5<sup>th</sup> paragraph should read “how” rather than “now”; page 6, 7<sup>th</sup> paragraph, line 2, change “to” to “for”, line 3 change comma to semicolon; page 7, 3<sup>rd</sup> paragraph, line 2, change “qualify” to “quality”; page 9, 1<sup>st</sup> paragraph, line 2, delete “to”;

The last line of paragraph 2, page 4 was changed to: The school has a residential low density zoning by a policy that says a school is allowed in every future land use designation. A school is allowed in a low density residential category.

**Chairwoman Dunay asked for a motion to approve minutes with changes.**

*Board Member Rader made the Motion to approve the February 12, 2018 minutes with changes; second by Board Member Gragg. The motion was unanimously approved ( 5/0).*

## NEW BUSINESS

- **Variance 2018-02 for a boat dock exceeding 1, 000 square feet and Variance 2018-03 for a boat dock exceeding 65 feet in length for 5160 Stratemeyer Drive.**

Engineer Mahler introduced Variance applications 2018-VAR-02 and 2018-VAR-03. The applicant is requesting a variance for additional length and square footage. The survey and the letter address the necessity for a variance and provide documentation for the minimum length needed. The additional length impacted the square footage.

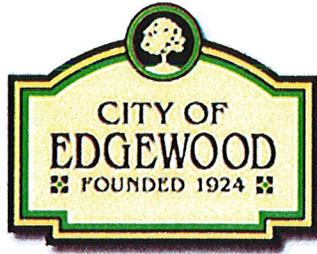
Chairwoman Dunay asked for public comments; there were none. Chairwoman Dunay requested a motion for Variance 2018-02 for length exceeding 65 feet.

*Board Member Trivedi moved to recommend approval of Variance 2018-02; second by Board Member Rayburn. The motion was unanimously approved (5/0).*

Chairwoman Dunay asked for a motion for Variance 2018-03 for square footage exceeding 1,000 square feet.

*Board member Rader moved to recommend approval of Variance 2018-03; second by Chairwoman Dunay. The motion was unanimously approved (5/0).*

- **Variance 2018-04 Variance to allow a structure within the lake setbacks at 673 Lake Harbor Circle**



Planner Hardgrove introduced the variance request to allow a building and deck to remain within the lake setback, instead of code required 50 feet from the Normal High Water Elevation. The single family residence was built in 2003 and the intrusion into the setbacks was created at the time of construction as the house was not built to the specifications. A swale was required at construction and is determined to still be effective. Staff is recommending approval for the patio as it is a de minimis impact with the condition that it not be livable area.

In response to Board Member Rader, Planner Hardgrove said they did receive a Certificate of Occupancy after an inspection. The actual original plans did meet the requirements and this was a builder error. Planner Hardgrove cannot answer why it was built this way. The deck appears to be an add-on and intrudes into the setback approximately 5 feet.

Per Engineer Mahler, the swale is to slow the drainage to the lake and will catch fertilizer and sediment. In response to Chairwoman Dunay this does not appear to be a problem.

Applicant and property owner, Chris Schroeder, came to the podium and stated that the house has not been altered since they moved in. In response to Chairwoman Dunay, he stated that the deck was built by the contractor, who said it was inspected, and it is the same situation as the corner of the house. Planner Hardgrove said that only a portion of the deck falls within the setback.

Chairwoman Dunay asked for questions from the Board. There were none.

Per the Staff Report, the six criteria per Section 134-104 (3)b. of the City's Code have been met for the house subject to establishing conditions to mitigate potential impacts on the lake and ensuring the intent of the regulation is maintained. Consistency with the six criteria has not been met for the deck.

Tina Demostene, Edgewood resident, spoke as a proponent. Demostene said that the deck is pervious and is confused by the setback because it is a wood deck and, unlike a concrete pad, allows water to go through. Engineer Mahler said that he would have to review that information.

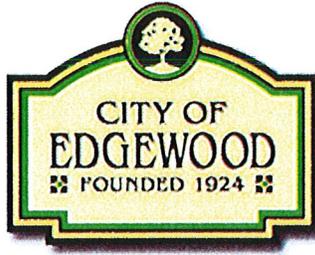
Chairwoman Dunay asked for a motion

*Board Member Rayburn moved to recommend that City Council approve Variance 2018-04; second by Chairwoman Dunay; approved 5/0.*

#### UNFINISHED BUSINESS

- **Orange County Public Schools (OCPS) Discussion – 2018-RZ-01**

Mr. Rodriguez and Ms. Kelly from OCPS came to the podium and distributed materials to the Planning and Zoning Board. OCPS has narrowed the model down to one option and described the site plan for a two-story, 830 student prototype model with proposed setbacks, buffers, landscaping and fencing. Discussion also included transportation and open space.



Mr. Rodriguez introduced OCPS Director of Student Enrollment, Dr. Carol McGowin, to share enrollment information, which is a separate process. Dr. McGowin discussed policy of rezoning and the process of rezoning in 2019 for opening in 2020.

Mr. Abdullah came to podium and discussed the flow of traffic on Holden Ave and queue storage area within the school.

Attorney Wilson came to the podium and said that development must be consistent with the Comprehensive Plan. Per Attorney Wilson, according to Section 1.1.8, Edgewood adopted school board standards, a school “shall be allowed” if it meets OCPS standards. Denial of the application is a violation of the statutes and the Edgewood Comprehensive Plan.

Attorney Smith asked if OCPS wants to pull the application. Mr. Rodriguez responded that they have exceeded requirements. Attorney Smith said that the P&Z Board has to give an up or down vote if that is what OCPS asks for.

Mr. Rodriguez said that OCPS is requesting an up or down vote and they will explain why OCPS does not want a continuance.

Discussion continued regarding the Comprehensive Plan and land use compatibility. Planner Hardgrove requested the opportunity to review the information and added that Orange County criteria are that the school cannot be on an arterial road. Per Mr. Rodriguez, Holden is a collector road which was confirmed by Mr. Abdallah. Planner Hardgrove said that it is a minor arterial road.

Planner Hardgrove stated concerns for adequate public utility services and would like more details, particularly the school bus ramp and the existing houses. Per Planner Hardgrove this should have been brought with the Developers’ Agreement.

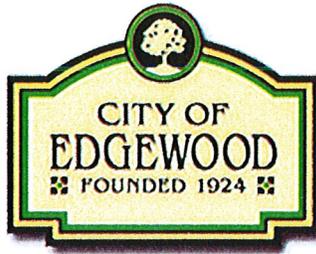
The Board did not meet previous to this meeting to discuss this issue as it would be against Sunshine Laws.

In response to Board Member Rader, Attorney Wilson said they are not required to get a special exception and OCPS was attempting to comply with the City. Attorney Smith asked Planner Hardgrove if the Special Exception requirement is inconsistent with the Comprehensive plan. Planner Hardgrove said yes with a Special Exception.

Attorney Smith asked Mr. Rodriguez if there is any point in asking about the plan. Rodriguez said there is always room for discussion but it is unlikely that the school would make significant changes.

Kal Hussein came to the podium and referred to the previous application for a housing Planned Development (PD) and said that he is making a fraction of what he would have made with that. Delaying this does not serve a purpose and details can be worked out.

Chairwoman Dunay moved the discussion to traffic. Mr. Abdallah said that they received the P&Z Board’s memo and will go down the list.



Mr. Hardgrove came to podium with Mr. Abdullah. Mr. Hardgrove spoke on behalf of the City and said he has conducted traffic studies since 1983. Discussion of the traffic study continued including existing and projected conditions, including the widening of the lanes on the west side, which was not taken into account. Mr. Abdullah said the analysis was completed in October and data is consistent with the 9<sup>th</sup> edition, which was the latest edition of the ITE. Board members Dunay and Rader stated their concerns that Holden Avenue is at capacity.

Per Mr. Rodriguez, Edgewood is not going to be different from other schools. The school is consistent with other schools and how they look at the issues.

Mr. Hardgrove said there are a lot of things that cannot be determined right now, particularly as the prototype changed. Mr. Rodriguez responded that they are focusing on prototype A.

Chairwoman Dunay asked for public comment.

Attorney Miranda Fitzgerald spoke as a proponent on behalf of the sellers. Board Member Rader responded that this is a negotiated process for a new zoning. Attorney Fitzgerald asked if the board approves or recommends approval of the Developers Agreement. Attorney Smith responded that in the normal process that would be ideal as part of the ordinance which incorporated the Developer's Agreement.

Sandy DePorter, Edgewood resident, spoke as an opponent and cited traffic concerns.

Janelle Horn, Edgewood resident, spoke as an opponent, is concerned about traffic.

Philip Weis, Edgewood resident, spoke as an opponent and spoke about traffic and other locations for the school.

Patrick Bozeman, Edgewood resident, spoke as an opponent and spoke about traffic.

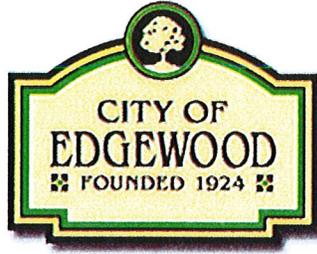
Richard Fawcett, Edgewood resident, spoke as an opponent and is concerned about traffic and crime near Orange Blossom Trail.

Emily Gibson, Edgewood resident, spoke as an opponent and stated concerns about the scope of the school and the portables.

Jim Worthen, spoke for HAINC as an opponent, and said the proposal is inconsistent with the Comprehensive Plan.

Brett Barner, Edgewood resident, spoke and said a school is not a PD and is concerned about Edgewood input.

Mike Teague, Edgewood resident, spoke as an opponent regarding traffic and the lost tax base. He suggested that the Board vote it down and send it to Council.



Jon McCormick, Edgewood resident, spoke about the traffic study being obsolete.

Linda Unger-Baldwin, Edgewood resident, spoke as an opponent and discussed traffic and portables.

Claire Smith, Edgewood resident, spoke as an opponent and questioned the location and traffic implications.

Bethanne Baer, Orlando resident and realtor, agrees with the other concerns and discussed making the school a positive for the community.

Tina Demostene, Edgewood resident, spoke as an opponent and rebutted OCPS information and said the application should have been found insufficient and not allowed to proceed to P&Z. She discussed consistency with the comprehensive plan, and OCPS consistency with regulations.

Chairwoman Dunay added an email to the public comment that was received from Edgewood resident, Karen Varney who strongly opposes the school.

As there was no further public comment, Mr. Rodriguez returned to the podium. He said that OCPS' function is to look at the immediate impact on traffic. They do not know the population of the school, or where the students will come from. Mr. Rodriguez apologized to those who felt OCPS is arrogant but they feel entitled by the law and their perspective and will look for an appellate resolution.

Board Member Gragg said it doesn't feel as if the standards for approval have been met. February's presentation was vague and with more material at this meeting, it is not unreasonable to ask for more time. He would say no if they have to vote. Chairwoman Dunay agreed with Board Member Gragg.

Board Member Rader said that they have asked for time to rely on staff experts and were told they need an up or down vote. Based on information previously submitted and presented tonight, there is not enough information to determine compatibility. This does not meet intent and purpose of a PD.

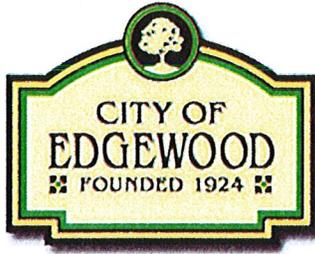
Chairwoman Dunay asked for motion.

***Board Member Rader made a motion that the Board recommend to City Council to reject the School Board's application for rezoning to a PD on the basis that, based on the information presented, it does not meet the intent and purpose of a PD nor is it compatible, consistent or compliant with Edgewood's Comprehensive Plan and Implementing Regulations; Second by Board Member Gragg. The motion was unanimously approved (5/0).***

This will be heard in City Council on May 15, 2018 or June 12, 2018.

## COMMENTS/ANNOUNCEMENTS

The Board will meet at City Hall on Saturday, April 21, 2018 from 9 am to Noon to continue discussion of uses and design elements for the new Edgewood District.



Planner Hardgrove said to expect an ordinance for digital signs. She will send a link for electronic messaging to the P&Z Board.

Chairwoman Dunay asked Deputy City Clerk, Sandy Repp for the next meetings who confirmed that the next Planning and Zoning dates would be:

- May 14, 2018
- June 11, 2018

**ADJOURNMENT:**

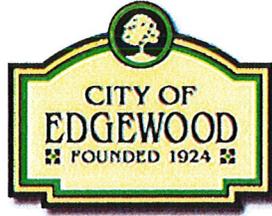
*With no further business or discussion, Board Member Trivedi made the Motion to adjourn the Planning and Zoning Board meeting; second by Chairwoman Dunay; motion unanimously approved (5/0). The meeting adjourned at 10:20 p.m.*

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Regina Dunay, Chairwoman

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Sandra Repp, Deputy City Clerk



# Memo

**To:** Planning and Zoning Board Members  
**From:** Sandy Repp, Deputy City Clerk  
**Date:** May 9, 2018  
**Re:** Supplement to Agenda Packet for May 14, 2018 P&Z meeting

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The following information is provided in your agenda packet for your review:

**1. Application for Variance 2018-VAR-05**

Included in your package, for review, includes the following information:

- Staff Report from CPH, dated April 30, 2018
- Application for Variance, received April 24, 2018
- Boat Dock Application and agent authorization, received April 24, 2018
- Narrative of Justification of Variance Request, received April 25, 2018
- Boat Dock Plans and aerial view - Large sized site plan can be found in the pocket of binder
- Notice of Public Hearing dated April 30, 2018 sent to property owners within 500 feet (Addresses with address and map matrix were generated from Orange County Property Appraiser Website).
- Sign Affidavit dated April 30, 2018

**2. Applications for Waiver – Parking of Recreational Vehicles  
[Edgewood Code of Ordinances Section 62-33 (C)(2-5)]**

Included in your package for review includes the following information:

- Aerial view of Lake Mary Jess Shores Court
- Edward and Virginia Rice  
5604 Lake Mary Jess Shores Court
  - Application for Waiver
  - Letter from homeowners dated April 19, 2018
  - Photo of property with recreational equipment

- Courtesy letters from Code Enforcement Officer, Virginia Renteria, dated February 22, 2018 and April 13, 2018
  - Doug Spencer  
5612 Lake Mary Jess Shores Court
    - Application for Waiver
    - Photo of property with recreational equipment
    - Courtesy letter from Code Enforcement Officer, Virginia Renteria, dated April 13, 2018
  - Allen and Nancy Crowell  
5550 Lake Mary Jess Shores Court
    - Application for Waiver
    - Photo of property with recreational equipment
    - Courtesy letter from Code Enforcement Officer, Virginia Renteria, dated April 13, 2018
3. **Proposed Ordinance 2018-07 is provided in your agenda packet for your review:**
- Ordinance 2018-07 Electronic Changeable Message Signage  
**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO ALLOW AND REGULATE ELECTRONIC CHANGEABLE MESSAGE SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.**



1117 East Robinson St  
Orlando, FL 32801  
Phone: 407.425.0452  
Fax: 407.648.1036

April 30, 2018

Ms. Sandy Repp  
Administrative Assistant  
City of Edgewood  
405 Laure Avenue  
Edgewood, FL 32809-3406

**RE: 1400 Windsong Road – boat dock app  
CPH project number E7601**

Dear Ms. Repp;

We are in receipt of the revised variance application and supporting documents, including the Variance Justification Letter, for the proposed boat dock at the above listed address. The variance application is updated to April 24, 2018 and is signed by the Applicant.

All of the information we reviewed has been revised. We have no objections to approving the Variance Request Documentation.

Sincerely,  
CPH, Inc.

*Allen C Lane Jr*

Allen C. Lane, Jr., P.E.  
Project Engineer

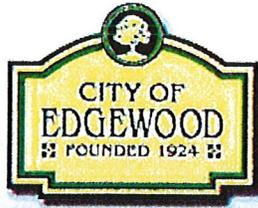
CC: David Mahler, P.E., CPH,  
File

J:\E7601\Civil\Documents\Letter\1400 Windsong Road boat dock variance app 4-21-18.docx

RECEIVED

APR 24 2018

CITY OF EDGEWOOD



# APPLICATION FOR VARIANCE

2018-VAR-05

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	May 14, 2018
CITY COUNCIL MEETING DATE:	June 19, 2018

**IMPORTANT:** A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk \_\_\_\_ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Sheila Cichra	Owner's Name:	Dan Phillips
Address:	2154 Oak Beach Blvd, Sebring, FL 33875	Address:	1400 Windsong Road
Phone Number:	(407) 450-4241	Phone Number:	(407) 448-2281
Fax:		Fax:	
Email:	sheilacichra@gmail.com	Email:	DPhillips@allstatepavingfl.com
Legal Description:	HARBOUR ISLAND SUB 1/131 LOT 1 & LAND LYING SELY THEREOF AS DESC IN OR 1589/640 & 4951/325		
Zoned:	R-1AA		
Location:	rear of sfr at 1400 Windsong Road		
Tract Size:	1.3 acres		
City section of the Zoning Code from which Variance is requested:	14-11.(b)(3) Length of boat docks		
Request:	total length of 102' (including roof overhang) in lieu of 65' allowed		
Existing on Site:	sfr under construction		

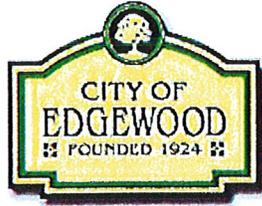
The applicant hereby states that this request for Variance does not violate any deed restrictions on the property.

**Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.**

RECEIVED

APR 24 2018

CITY OF EDGEWOOD



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

AGREE:	✓	DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:	✓	DISAGREE:	
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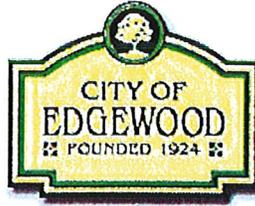
The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:		Date:	04/18/2018
Applicant's Printed Name:	Sheila Cichra		
Owner's Signature:		Date:	
Owner's Printed Name:			

RECEIVED

APR 24 2018

CITY OF EDGEWOOD



Please submit your completed application to City Hall via email at [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) or [srepp@edgewood-fl.gov](mailto:srepp@edgewood-fl.gov), via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

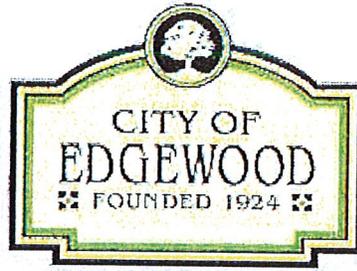
Office Use Only:	
Received Date	4/24/2018
Received By:	Ken Repp
Forwarded To:	CPH
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406  
Phone: 407-851-2920 / Fax: 407-851-7361  
[www.edgewood-fl.gov](http://www.edgewood-fl.gov)

RECEIVED  
 APR 24 2018  
 CITY OF EDGEWOOD



**BOAT DOCK APPLICATION**

Reference: [City of Edgewood Code of Ordinances, Section 14-11](#)

Please note the fee of \$350 is non refundable

Complete applications must be received by the City on or before 4 P.M. of the posted deadline date.

**AN APPLICATION IS CONSIDERED COMPLETE BASED ON THE CITY ENGINEER'S DETERMINATION AND WHEN THE FEE IS PAID AT EDGEWOOD CITY HALL.**

**APPLICATIONS DEEMED INCOMPLETE AND/OR UNACCOMPANIED BY FEES WILL BE DEFERRED TO THE NEXT POSTED DEADLINE DATE.**

**NOTE: THE APPLICATION WILL NOT BE CONSIDERED BY THE PLANNING AND ZONING BOARD UNLESS THE APPLICANT OR REPRESENTATIVE IS IN ATTENDANCE.**

The applicant is advised that individual board members can only be addressed during board proceedings.

Applicant's Name:	Sheila Cichra	Owner's Name:	Daniel and Traci Lynn Phillips
Address:	2154 Oak Beach Blvd Sebring, FL 33875	Address:	5248 Patch Road Orlando, FL 32822
Telephone:	(863) 314-6711	Telephone:	
Cell:	(407) 450-4241	Cell:	
Fax:		Fax:	
Email:	sheilacichra@gmail.com	Email:	DPhillips@allstatepavingfl.com
Name of Lake or Body of Water:	Lake Conway	NHWE:	86.90
Parcel ID/ Legal description:	13-23-29-3380-00-010	HARBOUR ISLAND SUB 1/131 LOT 1 & LAND LYING SELY THEREOF AS DESC IN OR 589/640 & 4951/325	

Revised 4/1/08

1 of 5

405 Larue Avenue, Edgewood, Florida, 32809-3406  
 Phone: 407-851-2920 / Fax: 407-851-7361  
[www.edgewood-fl.gov](http://www.edgewood-fl.gov)

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APR 24 2013

CITY OF EDGEWOOD

Names and Addresses of adjoining property owners:	
1.	Richard and Kathleen Lee P.O. Box 2113, Orlando, FL 32802
2.	William Morgan 1366 Harbour Island Road, Orlando, FL 32809
3.	
4.	
5.	
6.	
7.	

Notarized consent forms shall be provided from adjoining property owners  
if the side setback is less than 15 feet

1. Exact distance of setbacks from adjacent property lines:

A. (side):	15	B. (side):	72	C. (Rear):	
------------	----	------------	----	------------	--

**NOTE: IF REAR SETBACK IS LESS THAN 25 FEET, A VARIANCE IS REQUIRED**

2. Brief description of work to be done (dock and site plans must be attached):  
4' x 81' dock, 11' x 20' deck, 12' x 26' boathouse and 10' x 12' jetski slip

3. Electric Power to dock:

Yes:	✓	No:	
------	---	-----	--

If yes, an electrical permit must be obtained by Orange County Building Department

4. Total area of structure:  
(Area lake ward of NHWL; 1,000 sq. ft. maximum allowed)

999 including roof O.H.	Square feet
-------------------------	-------------

5. Length extending lake ward from NHWE shoreline:  
(65 feet maximum allowed)

101 + 1' roof O.H. = 10.2	Feet
---------------------------	------

6. Depth of water on date of application at end of proposed dock:

4.5'
------

7. Height of structure above NHWE contour:

13	Feet
----	------

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CITY OF EDGEWOOD

8. Is width of water body less than 200 feet?

Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
------	-------------------------------------	-----	--------------------------

If yes, width of water body (from the NHWL) at proposed dock:

<input type="text"/>	Feet
----------------------	------

9. Type of materials to be used:

P.T. Pine pilings and framing, Pine or composite decking, roofing to match main house
---

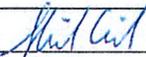
I have complied with all requirements and procedures and proclaim this application to be complete. I understand that an incomplete application will be deferred to the next posted deadline date.

I also understand that following the administrative approval by the City Council (when applicable), an approved building permit from the Orange County Building Department is required **before any construction shall commence.**

The application fees are established by the City Council. The application fee does not, in any way, ensure the applicant a favorable decision. All applications will be reviewed on the merits of the request alone, regardless of the application fee. All fees are non refundable.

Following approval from the City Engineer and the City Council (when applicable), the following must be submitted for zoning stamp approval from the City of Edgewood

- a. Completed building permit application
- b. Recorded notice of commencement
- c. Proof of contractor's worker's compensation, naming the City of Edgewood as certificate holder

Applicant's Signature:		Date:	04/18/2018
Applicant's Printed Name:	Sheila Cichra		
Owner's Signature:		Date:	
Owner's Printed Name:			

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CITY OF EDGEWOOD

### BOAT DOCK APPLICATION PROCESS

1. Submit application with
  - a. 3 site plans
  - b. 3 sets of engineered construction plans
2. Application will be forwarded to the City Engineer
3. If a variance from the provisions is requested or required, the City Engineer is not authorized to approve the application
4. Notices will be mailed to the neighboring property owners who have a legal interest in the shoreline within 300' of the property via mail
5. Written comments from neighboring property owners are due within 15 calendar days after mailing
6. If **NO** written objections are received it shall be deemed that property owners have given consent and have waived their right not to object to the construction of the dock. The application is then approved based on recommendation by the City Engineer 15 calendar days from the date notices are sent as long as the application is complete in all other aspects.
7. If one written objection is received or the City Engineer believes the application should be approved by City Council, the Council will consider the application during a regularly scheduled council meeting with
  - a. 9 site plans
  - b. 3 sets of engineered construction plans as submitted by the applicant
8. When City Council must decide the application, it shall approve, deny or approve with conditions taking into consideration comments or objections from all parties who were previously notified and staff's review of the proposed
9. Copies of City Council's decision shall be sent to the applicant and those who filed written objections with the date of the decision
10. If **NO** objections have been filed and City Council approved the application, the application will be effective immediately.
11. Following City Council's action and within 15 days, applicant or parties who have submitted written objections may submit written Notice of Appeal to the City Clerk.
12. If a Notice of Appeal is filed, it shall be heard by City Council during a regular council meeting. Notice of Appeal shall be provided to the applicant and parties who previously objected in writing
13. During Notice of Appeal hearing, City Council may affirm, reverse or modify their previous decision
14. If **NO** Notice of Appeal is received, City Council's ruling is final
15. City Council's decision on appeal is final

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CITY OF EDGEWOOD

BOAT DOCK VARIANCE APPLICATION PROCESS

1. Applicant must apply for a variance to the Edgewood Planning and Zoning Board, simultaneous with the submission of the Boat Dock Application and the required processing fee
2. When a variance is requested the applicant shall submit to the City Clerk's office
  - a. 9 site plans
  - b. 3 sets of engineered construction plans as submitted by the applicant
3. Applications for a variance shall follow the variance procedures as outlined in the Code (See Chapter 126, Section 126-588)
4. Following the approval of a boat dock application, either by the City engineer or by the City Council, the applicant is also required to obtain a building permit prior to commencing construction
5. In the event electricity is run to the boat dock, the proper electrical permit must also be obtained from Orange County.
6. All construction must be commenced, or completed, or both within the guidelines established by the City of Edgewood
7. The applicant is responsible for all fees associated with the procurement of necessary permits
8. Approval of a boat dock permit by the City of Edgewood does not eliminate the applications of any other government requirements or the necessity for required other permits or fees

Please submit your completed application to City Hall via email at [cityhallstaff@edgewood-fl.gov](mailto:cityhallstaff@edgewood-fl.gov), via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
	Three (3) Site Plans
	A survey of the property with the normal high water elevation (NHWE) as established by Orange County and performed by a Florida Registered Surveyor or mapper
	Three (3) sets of engineered construction plans (signed and sealed)
	Non refundable application fee of \$350.00
Rec'd Date:	4/24/2018
Rec'd By:	AG/MPB
Forwarded to:	CPA
Notes:	

Revised 4/1/08

405 Larue Avenue, Edgewood, Florida, 32809-3406  
 Phone: 407-851-2920 / Fax: 407-851-7361  
[www.edgewood-fl.gov](http://www.edgewood-fl.gov)

5 of 5

Received - 4/25/2018

Justification of Variance Request  
1400 Windsong Road  
Sec. 14-11 (b)(3) Length of boat docks

*Water depth* is the reason for the additional dock length.

- a. Average length of other docks in the surrounding 300-foot area;

The dock to the North extends into the lake about 95' and the dock to the South extends into the lake about 86'. Due to the curvature of the shoreline and the location of the NHWE on this parcel, the resulting length is about 101' (102' to the edge of the overhang). (see attached aerial)

- b. The reasonable use of the property by the owner;

The proposed boat dock needs to extend far enough for a water depth so that the boat slip is usable.

- c. The effects the dock will have on navigation and safety of boaters;

The proposed boat dock will not project past the ends of the adjacent docks on either side.

- d. The overall general welfare of the neighborhood;

It is not anticipated that the proposed boat dock will have a negative impact upon the general welfare of the neighborhood, as it will not appear to be any different from the adjacent docks.

- e. Whether special conditions exist such that strict compliance with the provisions of this article would impose a unique and unnecessary hardship on the applicant;

At a length of 65', the water elevation is too low and the boat slip is unusable.

- f. The effect of the proposed variance on abutting shoreline property owners;

There are no anticipated negative impacts to the navigation of or view for the adjacent property owners.

- g. Whether the granting of the variance would be contrary to the intent and purpose and this article;  
and

The proposed boat dock needs to extend far enough for a water depth, so that the boat slip is usable.

- h. A variance from the maximum length of 65 feet may be granted if it is necessary to reach a water depth suitable for boating, but in no event shall a dock be extended in length beyond where the water depth will exceed five feet as measured from the normal high water elevation.

At the proposed length, the water depth will be 4.5' at the end of the proposed boathouse, which is a minimal usable depth.

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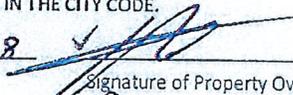
### Agent Authorization Form

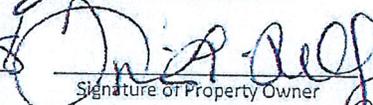
FOR PROJECTS LOCATED IN THE CITY OF EDGEWOOD

Please type or print in BLACK INK. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

I/WE, (PRINT PROPERTY OWNER NAME) Daniel or Traci Phillips, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 1400 Windsong Road Edgewood, FL 32809, DO HEREBY AUTHORIZE TO ACT AS MY/OUR

AGENT (PRINT AGENT'S NAME) Sheila Cichra, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS AND TO APPEAR ON MY /OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION. BY SIGNING THIS AUTHORIZATION, THE OWNER AGREES TO BE BOUND BY THE ACTIONS OF THE AUTHORIZED AGENT AND THE PROVISIONS OF CHAPTER 101, ARTICLE I, ENTITLED "PASS-THROUGH FEES" AND ACKNOWLEDGE AND AGREES THAT A LIEN MAY BE PLACED ON THE PROPERTY FOR NON-PAYMENT OF PASS-THROUGH FEES AS PROVIDED IN THE CITY CODE.

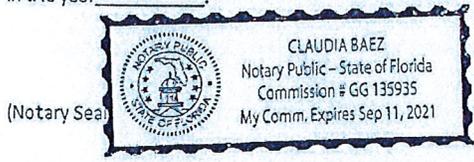
Date: 3/13/18  Signature of Property Owner Lendsey Daniel Phillips Print Name Property Owner

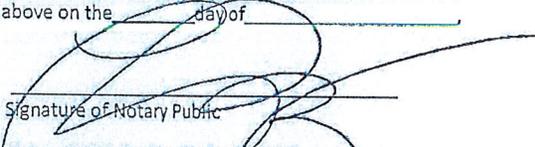
Date: 3/13/18  Signature of Property Owner Traci L. Phillips Print Name Property Owner

STATE OF FLORIDA: COUNTY OF Orange

I certify that the foregoing instrument was acknowledged before me this 13<sup>th</sup> day of March 2018 by Lendsey Daniel Phillips. He/she is personally known to me or has produced as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.



 Signature of Notary Public  
Notary Public for the State of Florida  
My Commission Expires: 9/01

Legal Description(s) or Parcel Identification Number(s) are required:	
PARCEL ID#:	<u>13-23-29-3380-00-010</u>
LEGAL DESCRIPTION:	<u>HARBOUR ISLAND SUB 1/131 LOT 1 &amp; LAND LYING SELY THEREOF AS DESC IN OR 1589/640 &amp; 4951/325</u>

Please hand deliver to Edgewood City Hall at 405 Larue Avenue. For additional questions, please contact Edgewood City Hall at (407) 851-2920, or send email to [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) or [srepp@edgewood-fl.gov](mailto:srepp@edgewood-fl.gov). Revised: 10/4/2016

405 Larue Avenue, Edgewood, Florida 32809 Phone: 407.851.2920 / Fax: 407.851.7361  
Email: [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) Website: [www.edgewood-fl.gov](http://www.edgewood-fl.gov)

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MAR 03 2018

CITY OF EDGEWOOD

# BOAT DOCK PLANS

PHILLIPS RESIDENCE  
1400 WINDSONG ROAD, EDGEWOOD

Prepared For

HGA CONSTRUCTION

Prepared By



Pavol Stankay FL. P.E.: 29059

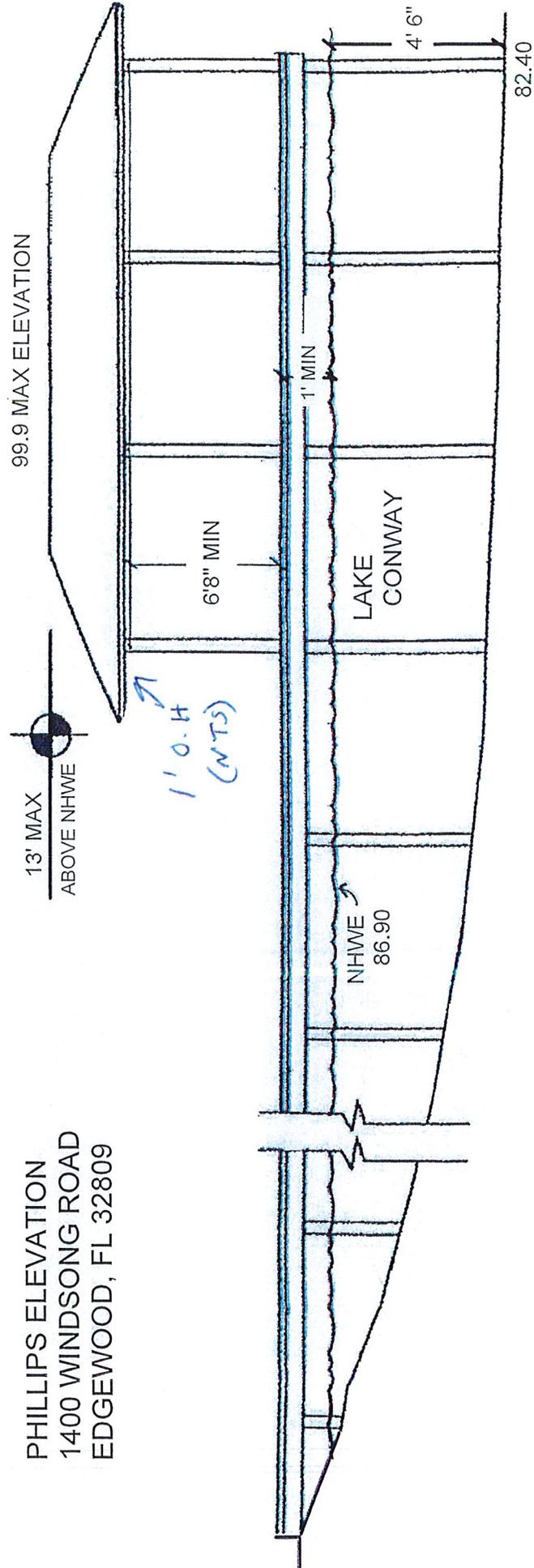
Stankay Engineering Group, Inc.  
2227 Mercator Drive  
Orlando, FL 32807  
(407) 701-2145

February 2018

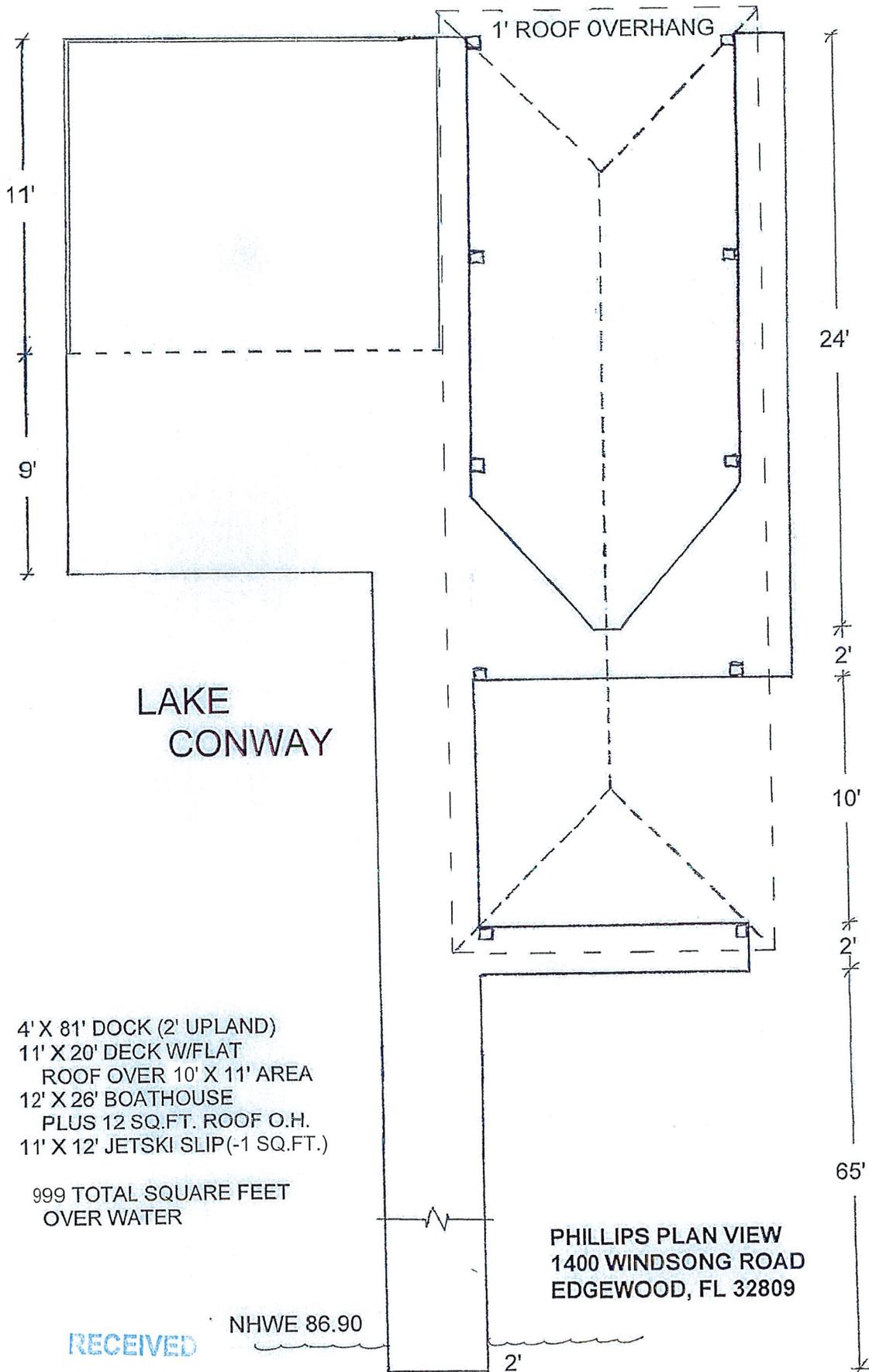


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PHILLIPS ELEVATION  
1400 WINDSONG ROAD  
EDGEWOOD, FL 32809



7' 4' 10' 2'



LAKE CONWAY

4' X 81' DOCK (2' UPLAND)  
 11' X 20' DECK W/FLAT  
 ROOF OVER 10' X 11' AREA  
 12' X 26' BOATHOUSE  
 PLUS 12 SQ.FT. ROOF O.H.  
 11' X 12' JETSKI SLIP (-1 SQ.FT.)

999 TOTAL SQUARE FEET OVER WATER

PHILLIPS PLAN VIEW  
 1400 WINDSONG ROAD  
 EDGEWOOD, FL 32809

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 CITY OF EDGEWOOD

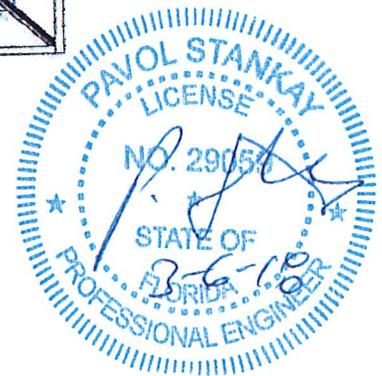
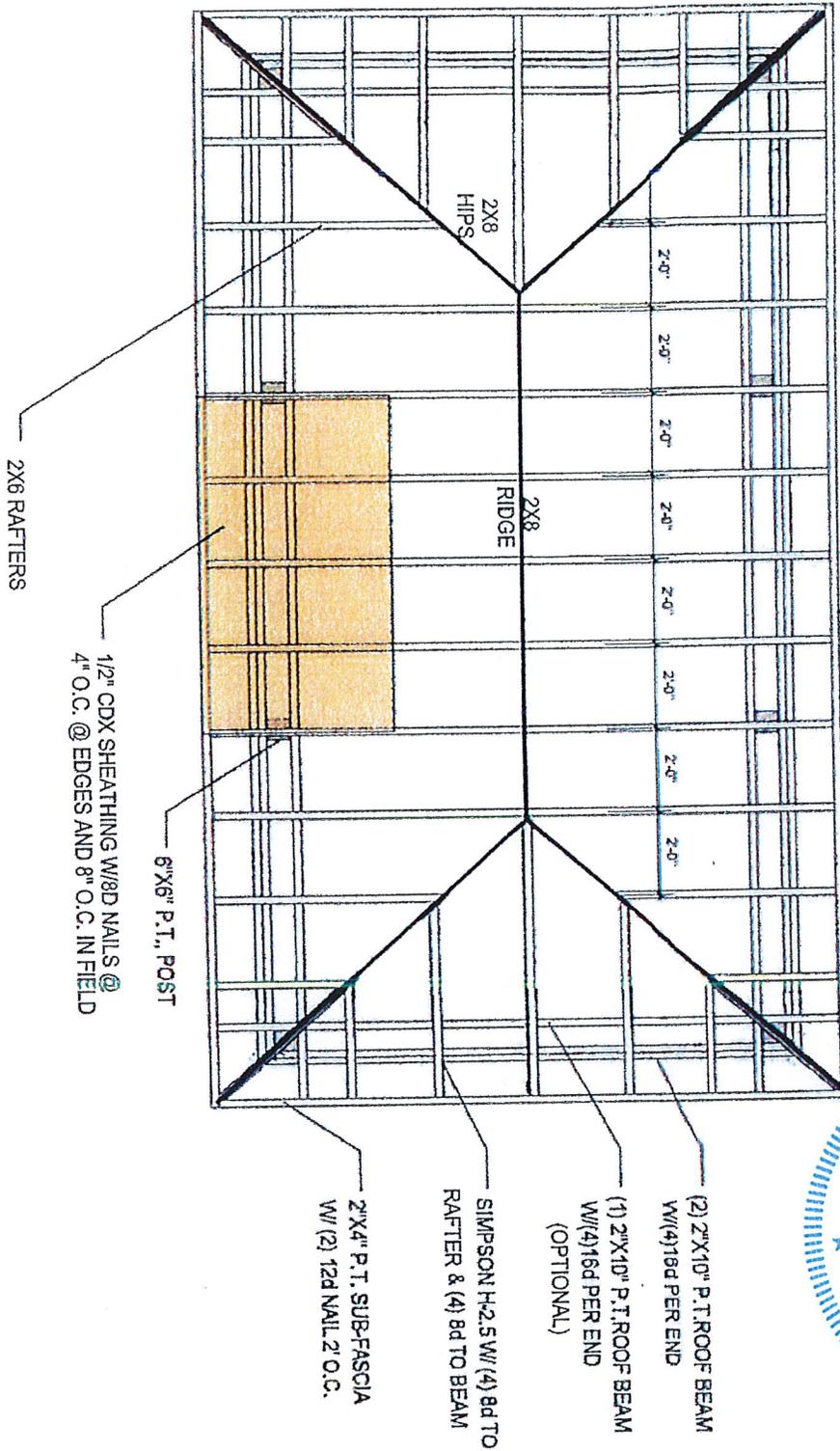
NHWE 86.90

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CITY OF EDGEWOOD

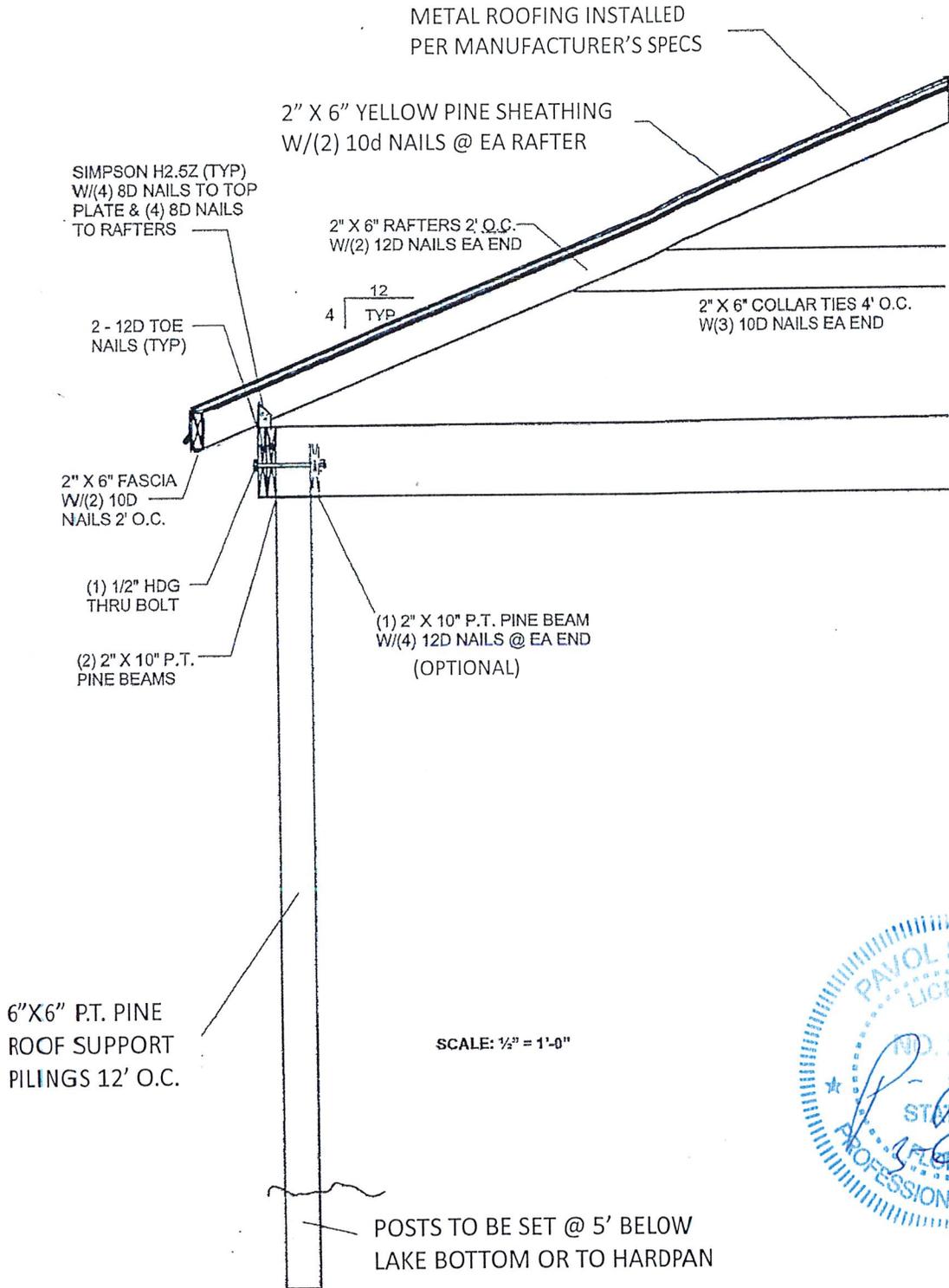
# Pitched Roof Framing



Phillips 1400 Windsong Road, Edgewood

Pavol Stankay PE # 29059 2227 Mercator Drive Orlando, FL 32807 (407) 701-2145

# Pitched Roof Cross Section



**Phillips 1400 Windsong Road, Edgewood**

Pavol Stankay PE # 29059 2227 Mercator Drive Orlando, FL 32807 (407) 701-2145

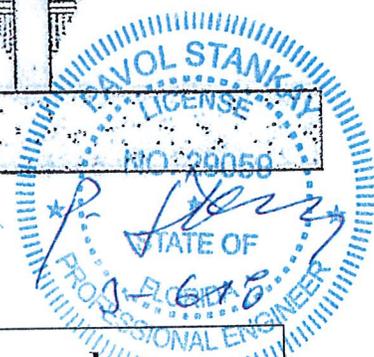
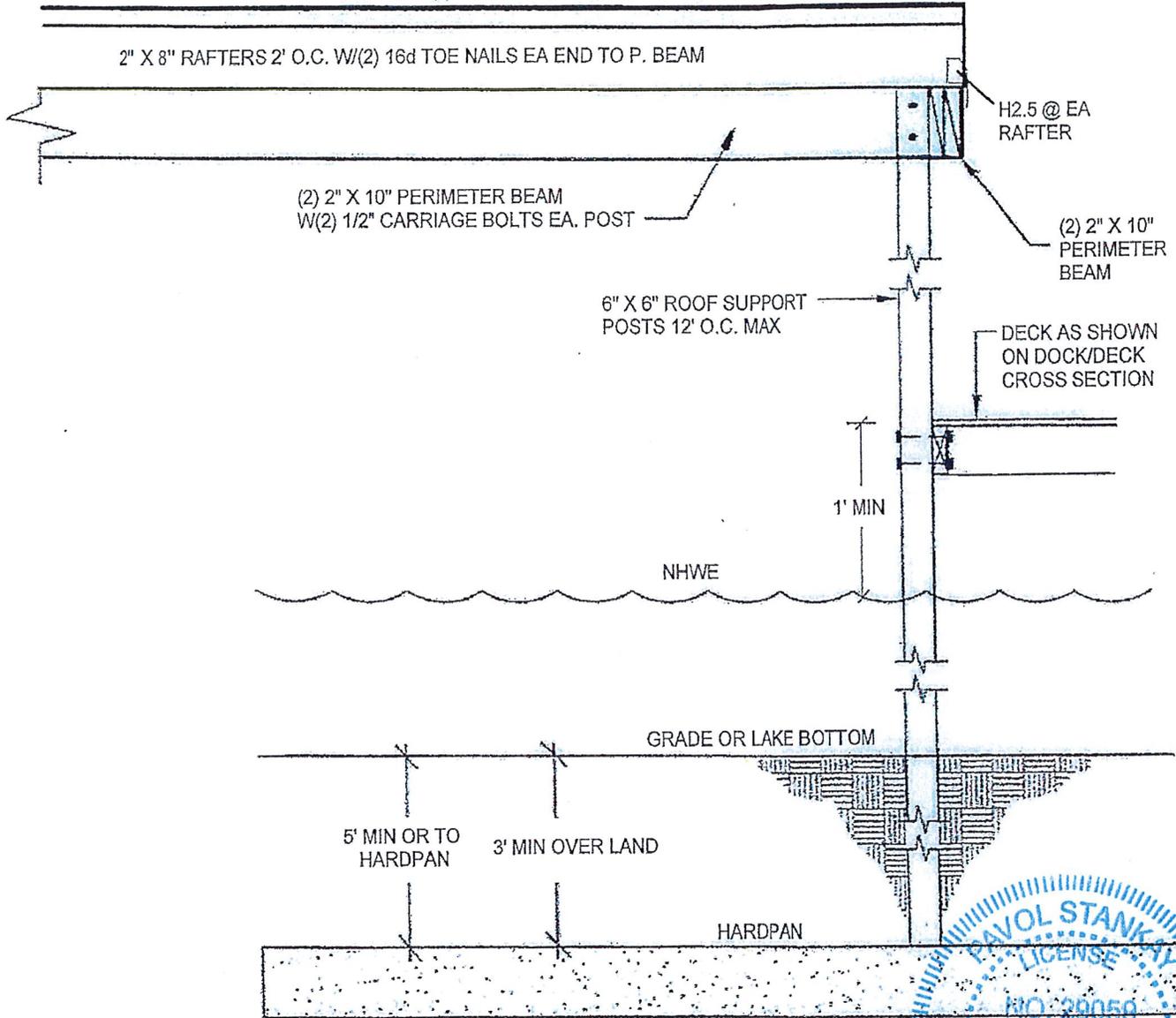
MAR 03 2018

CITY OF EDGEWOOD

# Flat Roof Cross Section

(1" X 6" DECKING MAY BE USED WITH 16" O.C. RAFTER SPACING)  
2" X 6" P.T. DECKING W(2) 3" S.S. SCREW @ EA. RAFTER

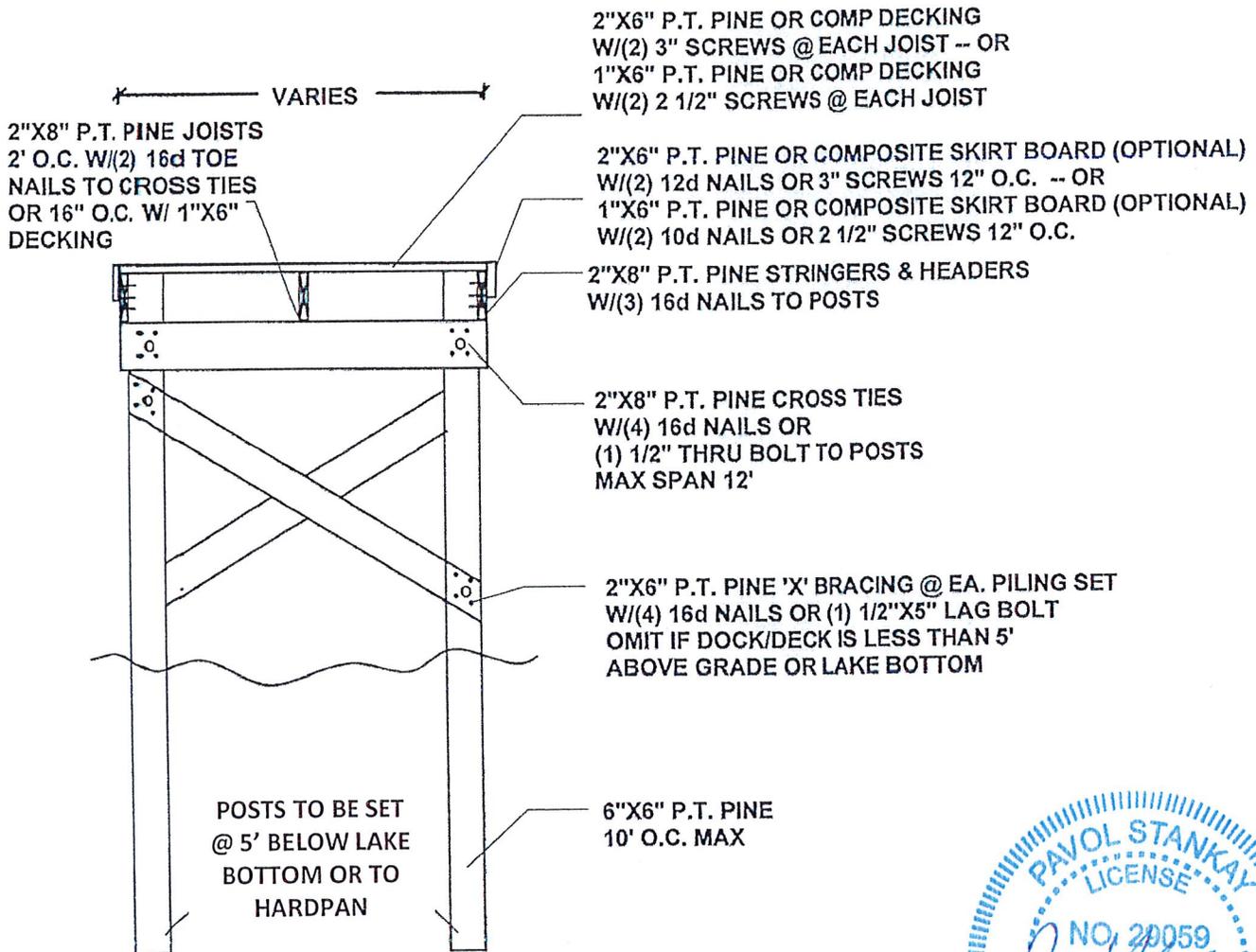
ELEVATION OF TOP OF  
FLAT ROOF IS 97.9



**Phillips 1400 Windsong Road, Edgewood**

Pavol Stankay PE # 29058 2227 Mercator Drive Orlando, FL 32807 (407) 701-2145

Dock/Deck Framing Detail and Specifications



THIS STRUCTURE HAS BEEN DESIGNED TO MEET THE 2017 FLORIDA BUILDING CODE, 6<sup>TH</sup> EDITION AND ASCE 7- 10 AND 2014 NATIONAL ELECTRIC CODE.

1. BASIC WIND SPEED (V<sub>asd</sub>) = 108 MPH, ULTIMATE WIND SPEED (V<sub>ult</sub>) = 140 MPH
2. CONSTRUCTION TYPE = R-3
3. WIND EXPOSURE = CATEGORY D
4. OPEN STRUCTURE WITH A ZERO PRESSURE COEFFICIENT

Phillips 1400 Windsong Road, Edgewood

Pavol Stankay PE # 29059 2227 Mercator Drive Orlando, FL 32807 (407) 701-2145

# Design Standards

The following are general design standards. More stringent design standards may be noted on the plans.

## General Requirements:

Reproductions of contract drawings by contractor in lieu of preparation of shop drawings signifies acceptance of information shown as correct and obligates himself to any expense, real or implied, arising from their use. A change to the structural drawings due to the acceptance of alternates and/or substitutes is the responsibility of the contractor and must be submitted to the engineer for approval. The general contractor and each subcontractor shall verify all existing conditions prior to the start of any work. All inconsistencies shall be reported to the designer and/or structural engineer, if needed. Should contractor construct the premises in a fashion not consistent with the plans prepared by the designer and/or structural engineer, or in any fashion, change the plans and drawing without the review and approval from the designer and/or structural engineer. Then designer and/or structural engineer shall bear no responsibility or liability for the construction of premises and accuracy of the drawings.

## Structural Aluminum:

Conform to latest edition of Aluminum Association of Florida standard practice for aluminum design.

All aluminum shall be 6061-T6 (E= 10,000 ksi; Fy= 35 ksi)

## Design Loads:

Pursuant to Chapter 1609 LL (-Table 1607; WL- Section 1609)

Ultimate Wind: 140 mph at 3 second gust (30 psf minimum)

Risk Category II (Table 1604.5)

Exposure Category: "D" (FBC 1609.4.3 & ASCE 7-10, Section 26.7.2)

Deck Live Load: 60 psf      Dead Load: 10 psf

Roof Live Load: 20 psf      Guardrails and handrails: 200 psf

Guardrail in fill components: 50psf      Stairs: 40psf

Components and cladding, design wind pressures + 38psf/-38psf

## Timber:

Design in accordance with the National Design specification for wood construction, with loading in accordance with the Florida Building Code. All graded structural lumber shall be pressure treated and meet the following minimum requirements:

Minimum bending stress = 1250 psi (No. 1 Dense So. Pine)

Young Modulus = 1600 ksi

Maximum of 15% moisture content

Contractor may use Southern Yellow Pine No. 2 or U.O.N.

Lumber sizes shown are nominal sizes. Lumber shall be furnished in finished sizes meeting the requirement of the American Softwood Lumber Standard.

## Galvanized Bolts:

All bolts shall be galvanized be ASTM A572, grade 50 threaded round stock with a minimum yield stress of 50,000 psi.

## Concrete

Conform to ACI 318, latest edition and ACI 301

Compressive Ultimate Strength (Minimum at 28 days) shall be 3,000 psi

Exposed chamfer edges shall be ¾"

## Reinforcing Steel:

Conform to ACI 318 and 315, Latest edition  
All reinforcement steel shall be ASTM A615 Grade 60. Min footing cover 3"  
Smooth dowels & ties shall be ASTM A185

## Structural Steel:

Conform to latest edition of AISC "Specification for structural steel building" and AISC "Code of standard practice for steel buildings and bridges".

All structural steel shall be ASTM A36, (E= 29,000 ksi; Fy = 36 ksi)

Splicing prohibited without prior approval as to location and type.

Burning of holes in steel members is prohibited. Any member with burned holes must be replaced.

## Welding:

Conformed to "code for welding in building construction" by the American Welding Society, latest edition.

Steel Weld IAW AWS D1.1 (latest edition) -E70XX electrodes

Aluminum Weld IAW AWS D1.2 (lasts edition)-Filler Alloy 5356 or equal.

Connection welds to be sized for forces and reactions indicated.

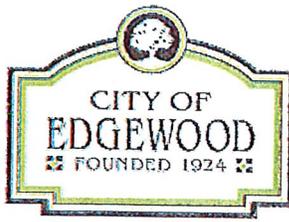
All steel welds shall be E70XX low hydrogen, 250 degrees min.

Welds shall be full penetration welds at all points of contact

**Phillips      1400 Windsong Road, Edgewood**

**Pavol Stankay    PE # 29059    2227 Mercator Drive Orlando, FL 32807    (407) 701-2145**





## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that at its Planning & Zoning meeting on **Monday, May 14, 2018** the Planning and Zoning Board of the City of Edgewood, will consider **Variance Application VAR 2018-05** to allow a variance request for construction of a boat dock exceeding 65 feet in length, located at 1400 Windsong Road which is currently in R-1AA zoning district. (City of Edgewood Resolution 2005-R002 City Code of Ordinances, Reference Section 134-104 [Variance]) The application was submitted by Streamline Permitting on behalf of Daniel and Traci Lynn Phillips. The meeting will be held in the Council Chambers of City Hall, 405 Larue Avenue, Edgewood, Florida beginning at **6:30 p.m. or as soon thereafter as the matter may be heard.**

The Planning and Zoning Board's recommendation will be forwarded to City Council on Tuesday, June 19, 2018 at 6:30 p.m. for final action.

The subject property for variance is legally described as HARBOUR ISLAND SUB 1/131 LOT 1 & LAND LYING SELY THEREOF AS DESC IN OR 1589/640 & 4951/325 4951/325

Interested parties may attend this meeting and be heard with respect to this variance application. In addition, the application(s) may be inspected by the public at the City Clerk's Office, 405 Larue Avenue, Edgewood, Florida.



**You may reach City Hall at 407-851-2920; City Hall is open Monday – Thursday 8 a.m. to 4 p.m. and Friday 8 a.m. to noon. Should you have any questions or concerns please do not hesitate to come to City Hall to review the file.**

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Planning and Zoning Board and City Council on this topic to properly noticed hearings or to written communication to the City Clerk's Office.

405 Larue Avenue • Tel: 407-851-2920 • Fax: 407-851-7361 • [www.edgewood-fl.gov](http://www.edgewood-fl.gov)

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the city clerk.

The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26, *Florida Statutes*, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

This public hearing may be continued to a future date or dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Should you desire additional information, regarding this application, please feel free to contact the City Clerk's Office at 407-851-2920, or e-mail at [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov).

Bea L. Meeks, MMC, CPM, CBTO  
City Clerk  
Dated: April 30, 2018

***You may either mail in your comments and concerns on the space provided below or submit directly to City Hall. Please see above our hours of operation. We thank you for your participation.***

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Application: 2018-VAR-05  
Owner/Applicant Name: Dan Phillips  
Public Hearing Date: Monday, May 14, 2018

This affidavit is to be presented at the public hearing before the Planning and Zoning Board.

**SIGN AFFIDAVIT**

STATE OF FLORIDA  
ORANGE COUNTY

Before me, the undersigned authority, personally appeared Robert Joseph June Jr. to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

- 1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and dated of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
- 2. That said posted notice also contained the relevant facts pertaining to the application.
- 3. That said notice was posted was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: 4/30/2018
- 4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such will be officially filed with the City of Edgewood, Florida.

[Signature]  
Signature of owner or authorized representative

Sworn to and subscribed before me this 20 day of April, 2018.



Print, type, or stamp commissioned name of Notary Public

[Signature]  
Notary Public, State of Florida

Personally Known OR Produced Identification  
Type of I.D. Produced FL Drivers License

rev. 07.21.11



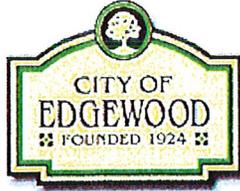
# Lake Mary Jess Shores Ct

## Legend

-  5612 Lk Mary Jess Shores Ct, 32839
-  Century 21 Executive Team
-  Diversified Golf Cars Inc
-  Feature 1
-  Lake Mary Jess Shores Ct
-  Port A Pit Barbeque

Lake Mary Jess Shores Ct





## APPLICATION FOR WAIVER Parking of Recreational Vehicles

Reference: City of Edgewood Code of Ordinances, Section 62-33 (d)

**REQUIRED FEE: \$350.00 (Please note this fee is non-refundable)**

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

<b>PLANNING &amp; ZONING MEETING DATE:</b>	5/14/2018
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**IMPORTANT:** A completed Application for Waiver, with any necessary attachments, must be filed by the second Wednesday of the month for the first hearing on the second Monday of the following month. No application shall be deemed accepted unless it is complete and paid for.

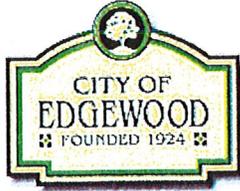
**REQUIREMENTS:**

- A notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.
- The waiver request must be accompanied by written acknowledgement from the majority of the abutting property owners that they do not object to the granting of such a waiver.
- Notices of the hearing to adjoining property owners on such waiver request shall be provided by the property owner and shall be sent to such adjoining property owners by certified mail. No formal posting is required.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	EDWARD & VIRGINIA RICE	Owner's Name:	EDWARD + VIRGINIA RICE
Address:	5612 LK MARY JESS SHORES CT	Address:	5612 LK M. J. S. CT 32837
Phone Number:	ED 407-353-0331 VIRGINIA 407-353-0331	Phone Number:	
Fax:	—	Fax:	—
Email:	EDWARD@AVIATEDOME.COM	Email:	EDWARD@AVIATEDOME.COM
Legal Description:	LAKE MARY JESS SHORES 8/130 LOT 9 PID 24 23 29 4658 00 090		
Zoned:	R-1AA		
Location:			
Tract Size:			
Reason For Waiver Request:	LOCATION HAS BEEN USED FOR BOAT STORAGE PAST 23 YRS - ADDITIONAL PERMITTED CONCRETE PAD WITH PURPOSE BUILT FOR THIS USE.		

405 Larue Avenue, Edgewood, Florida 32809  
Phone: 407.851.2920 / Fax: 407.851.7361  
Email: [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) Website: [www.edgewood-fl.gov](http://www.edgewood-fl.gov)



Any property owner who cannot meet the requirements of these sections and would suffer a hardship, if not allowed to park recreational equipment on his property, may apply to the planning and zoning board for a waiver from the restrictions imposed by this section for a specified period of time. Applicant must agree that:

- In granting any waiver the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of the Edgewood ordinances.

AGREE () DISAGREE ( )

EXPLANATION: \_\_\_\_\_

- Concerning ex-parte communications, the applicant shall not speak to members of the Planning and Zoning Board or the City Council prior to the Public Hearing related to said variance request in order that said board members shall not prejudice themselves prior to making process and determination will be in full view of the public, thereby providing due proceeding where a record of the proceedings may be kept.

AGREE () DISAGREE ( )

EXPLANATION: \_\_\_\_\_

Applicant's Signature	<i>Edward Rice / Virginia Rice</i>	Date:	<i>4/19/18</i> / <i>4/19/18</i>
Applicant's Printed Name	<i>EDWARD RICE / VIRGINIA RICE</i>	Date:	<i>4/19/18</i> / <i>4/19/18</i>
Owner's Signature	<i>Edward Rice Virginia Rice</i>		
Owner's Printed Name	<i>EDWARD RICE Virginia Rice</i>		

(Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached)

Please submit completed application to City Hall via email at [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) or to [srepp@edgewood-fl.gov](mailto:srepp@edgewood-fl.gov), via facsimile at (407) 851-7361, or hand delivered to Edgewood City Hall located at 405 Larue Avenue. For additional questions, please contact Edgewood City Hall at (407) 851-2920.

OFFICE USE ONLY			
Received Date:	<i>4/19/2018</i>	Received By:	<i>Virginia Renteria</i>
Forwarded To:			
Notes:			

Revised: 4/5/2018

**Request for Waiver of recreational vehicle parking located at:**

Edward Rice

5612 Lake Mary Jess Shores Court

Orlando, FL 32839

I agree that the placement of Mr. Rice's boat on the side of his home, behind the front setback is of no issue to me.

Doug or Laurie Spencer

5604 Lake Mary Jess Shores Court

Orlando, FL 32839

Signed *Laurie Spencer*

I agree that the placement of Mr. Rice's boat on the side of his home, behind the front setback is of no issue to me.

Brenda or Vernon Hargrave

5605 Lake Mary Jess Shores Court

Orlando, FL 32839

Signed *Brenda Hargrave*

I agree that the placement of Mr. Rice's boat on the side of his home, behind the front setback is of no issue to me.

Carlos Torres

5621 Lake Mary Jess Shores Court

Orlando, FL 32839

Signed *[Signature]*

I agree that the placement of Mr. Rice's boat on the side of his home, behind the front setback is of no issue to me.

Maria Ladenheim

5613 Lake Mary Jess Shores Court

Orlando, FL 32839

Signed *Maria Ladenheim*

I agree that the placement of Mr. Rice's boat on the side of his home, behind the front setback is of no issue to me.

Bruce Williamson or Shelley Ward

5620 Lake Mary Jess Shores Court

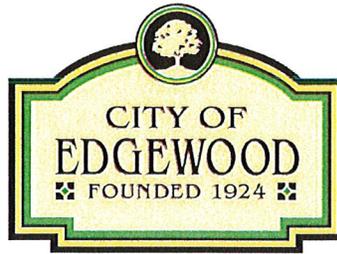
Orlando, FL 32839

Signed *for B Williamson*



5612

Lake Mary Jess Shores Court



February 22, 2018

Virginia and Edward Rice  
5612 Lake Mary Jess Shores Ct  
Orlando, FL 32839

Dear Mr. and Mrs. Rice,

Your boat has been parked in the front of your home which is a violation of our City Code Section 62-33. - Parking, storage and use of recreational equipment, Subsection (C) Subsection 2,3,4 and 5 — Parking and storage restriction to recreational equipment. The parking prohibition in subsection (b) of this section shall also be applicable to all other recreational equipment, unless it complies with one of the following:

(2) Any recreational equipment may be parked or stored in a fully enclosed garage or stored entirely in a carport.

(3) Recreational equipment may be parked or stored behind the main residence or on the side yard. In no event shall it be parked any closer to the street than that portion of the main residence, carport, or garage which is farthest from the street.

(4) The parking of recreational equipment under this subsection in side and rear lot areas is permitted only if fences, walls and/or landscape screening including hedges, trees, et cetera, of heights necessary to substantially screen the view of the recreational equipment shall be constructed and planted so as to buffer adjacent residential properties. If the property is on a corner lot or a rear lot which abuts a street, the side or rear lot where any recreational equipment is parked or stored must be substantially screened such that the recreational equipment cannot be viewed from the side or back street.

(5) Parking for unloading, loading and cleaning. Any recreational equipment may be parked anywhere on a residential premises for no more than 24 hours during any given week while loading, unloading, or cleaning.

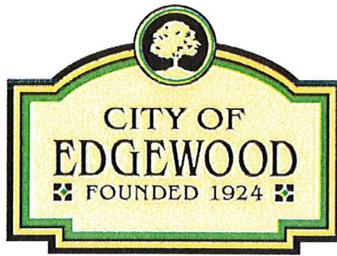
405 Larue Avenue Edgewood, FL 32809 | Phone: (407)851-2920 |

Email: [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov)

The City Code is stated above and suggests alternatives for storing the boat and trailer. This is a courtesy notice before a violation is issued. Please have the boat be removed from the front of the home on or before March 2<sup>nd</sup>. If you have any questions I can be reached at by email or phone at [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov) or (407) 851-2920.

Sincerely,

Virginia Renteria  
Code Enforcement Officer



April 13, 2018

Virginia and Edward Rice  
5612 Lake Mary Jess Shores Ct  
Orlando, FL 32839

Dear Mr. and Mrs. Rice,

Your boat has been parked in the side of your home which is a violation of our City Code Section 62-33. - Parking, storage and use of recreational equipment, Subsection (C) Subsection 2,3,4 and 5 — Parking and storage restriction to recreational equipment. The parking prohibition in subsection (b) of this section shall also be applicable to all other recreational equipment, unless it complies with one of the following:

- (2) Any recreational equipment may be parked or stored in a fully enclosed garage or stored entirely in a carport.
- (3) Recreational equipment may be parked or stored behind the main residence or on the side yard. In no event shall it be parked any closer to the street than that portion of the main residence, carport, or garage which is farthest from the street.
- (4) The parking of recreational equipment under this subsection in side and rear lot areas is permitted only if fences, walls and/or landscape screening including hedges, trees, et cetera, of heights necessary to substantially screen the view of the recreational equipment shall be constructed and planted so as to buffer adjacent residential properties. If the property is on a corner lot or a rear lot which abuts a street, the side or rear lot where any recreational equipment is parked or stored must be substantially screened such that the recreational equipment cannot be viewed from the side or back street.
- (5) Parking for unloading, loading and cleaning. Any recreational equipment may be parked anywhere on a residential premises for no more than 24 hours during any given week while loading, unloading, or cleaning.

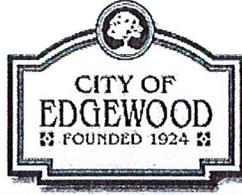
The City Code is stated above and suggests alternatives for storing the boat and trailer. This is your 2<sup>nd</sup> courtesy notice; a Notice of Violation will be issued if this problem reoccurs. Please have the boat be removed from the side of the home which is visible from the street on or before **April 20, 2018**. If you have any questions I can be reached at by email or phone at [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov) or (407) 851-2920.

Sincerely,

Virginia Renteria  
Code Enforcement Officer

405 Larue Avenue Edgewood, FL 32809 | Phone: (407)851-2920 |

Email: [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov)



## APPLICATION FOR WAIVER Parking of Recreational Vehicles

Reference: City of Edgewood Code of Ordinances, Section 62-33 (d)

**REQUIRED FEE: \$350.00 (Please note this fee is non-refundable)**

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

PLANNING & ZONING MEETING DATE:	5/14/2008
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**IMPORTANT:** A completed Application for Waiver, with any necessary attachments, must be filed by the second Wednesday of the month for the first hearing on the second Monday of the following month. No application shall be deemed accepted unless it is complete and paid for.

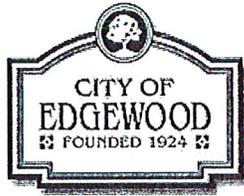
**REQUIREMENTS:**

- A notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.
- The waiver request must be accompanied by written acknowledgement from the majority of the abutting property owners that they do not object to the granting of such a waiver.
- Notices of the hearing to adjoining property owners on such waiver request shall be provided by the property owner and shall be sent to such adjoining property owners by certified mail. No formal posting is required.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Doug Spencer	Owner's Name:	Doug Spencer
Address:	5604 LAKE MARY JESS SHORES CT	Address:	SAME
Phone Number:	407 859 8656	Phone Number:	407 719 1708
Fax:		Fax:	
Email:		Email:	DSPENCER@SPENCERCONSULTING.COM DSPENCER@SPENCERCONSULTINGFL.COM
Legal Description:	Lake Mary Jess shores Ct, Edgewood, FL 8/130 Lot 8		
Zoned:	R1-AA		
Location:	5604 LAKE MARY JESS SHORES CT EDGEWOOD, FL		
Tract Size:	1.24 acres		
Reason For Waiver Request:	TRUCK HAS BEEN PARKED THERE 34 YEARS. OUR HOA AGREES FOR BEHIND FRONT SET BACK. I HAVE NO WHERE ELSE TO PUT IT. DON'T WANT TO SPEND \$500/YR FOR STORAGE.		

405 Larue Avenue, Edgewood, Florida 32809  
Phone: 407.851.2920 / Fax: 407.851.7361  
Email: [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) Website: [www.edgewood-fl.gov](http://www.edgewood-fl.gov)



Any property owner who cannot meet the requirements of these sections and would suffer a hardship, if not allowed to park recreational equipment on his property, may apply to the planning and zoning board for a waiver from the restrictions imposed by this section for a specified period of time. Applicant must agree that:

- In granting any waiver the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of the Edgewood ordinances.

AGREE (  ) DISAGREE (  )

EXPLANATION: \_\_\_\_\_

- Concerning ex-parte communications, the applicant shall not speak to members of the Planning and Zoning Board or the City Council prior to the Public Hearing related to said variance request in order that said board members shall not prejudice themselves prior to making process and determination will be in full view of the public, thereby providing due proceeding where a record of the proceedings may be kept.

AGREE (  ) DISAGREE (  )

EXPLANATION: \_\_\_\_\_

Applicant's Signature		Date:	4/18/18
Applicant's Printed Name	DOUGLAS M. SPENCER	Date:	4/18/18
Owner's Signature			
Owner's Printed Name	DOUGLAS M. SPENCER		

(Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached)

Please submit completed application to City Hall via email at [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) or to [srepp@edgewood-fl.gov](mailto:srepp@edgewood-fl.gov), via facsimile at (407) 851-7361, or hand delivered to Edgewood City Hall located at 405 Larue Avenue. For additional questions, please contact Edgewood City Hall at (407) 851-2920.

OFFICE USE ONLY			
Received Date:	4/19/2018	Received By:	Virginia Kenton
Forwarded To:			
Notes:			

Revised: 4/5/2018

Request for Waiver of recreational vehicle parking located at:

Doug Spencer

5604 Lake Mary Jess Shores Court

Orlando, FL 32839

I agree that the placement of Mr. Spencer's boat trailer on the side of his home behind the front setback is of no issue to me.

Nancy or Mike Crowell

5550 Lake Mary Jess Shores Court

Orlando, FL 32839

Signed 

I agree that the placement of Mr. Spencer's boat trailer on the side of his home behind the front setback is of no issue to me.

Nina or Ed Rice

5612 Lake Mary Jess Shores Court

Orlando, FL 32839

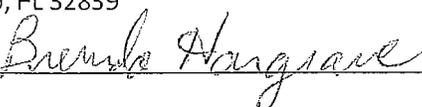
Signed   
407-353-0331

I agree that the placement of Mr. Spencer's boat trailer on the side of his home behind the front setback is of no issue to me.

Brenda or Vernon Hargrave

5605 Lake Mary Jess Shores Court

Orlando, FL 32839

Signed 

Spencer variance request, April 19, 2018

We have lived at 5604 Lake Mary Jess Shores Court for 34 years, building our home in 1984. We designed the house to be offset to the south, making room to park our boat trailer on the side of the house. We live on the lake so the boat is in the boat house. Our Home Owners Deed Restrictions allowed this as long as the trailer was behind the front setback of the house. The area around the trailer is kept clean and free of weeds.

Based on our 34 years of precedence, to make us place the trailer behind the home would be unreasonable.

We respectfully request a variance to allow us to continue to park our trailer where it is, as it has been for 34 years.

Doug and Laurie Spencer

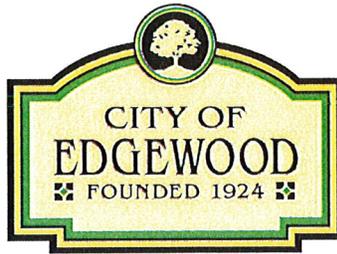
Left 3307 Lake Mary Hill Shores Court  
Spencer Residence

Right 3330 Lake Mary Hill Shores Court  
Crowell Residence

45



04/30/2018 11:19 AM



April 13, 2018

Laurie and Spencer Douglas  
5604 Lake Mary Jess Shores Court  
Orlando, FL 32839

Dear Mr. and Mrs. Spencer,

Your trailer has been parked in the side of your home which is a violation of our City Code Section 62-33. - Parking, storage and use of recreational equipment, Subsection (C) Subsection 2,3,4 and 5 — Parking and storage restriction to recreational equipment. The parking prohibition in subsection (b) of this section shall also be applicable to all other recreational equipment, unless it complies with one of the following:

- (2) Any recreational equipment may be parked or stored in a fully enclosed garage or stored entirely in a carport.
- (3) Recreational equipment may be parked or stored behind the main residence or on the side yard. In no event shall it be parked any closer to the street than that portion of the main residence, carport, or garage which is farthest from the street.
- (4) The parking of recreational equipment under this subsection in side and rear lot areas is permitted only if fences, walls and/or landscape screening including hedges, trees, et cetera, of heights necessary to substantially screen the view of the recreational equipment shall be constructed and planted so as to buffer adjacent residential properties. If the property is on a corner lot or a rear lot which abuts a street, the side or rear lot where any recreational equipment is parked or stored must be substantially screened such that the recreational equipment cannot be viewed from the side or back street.
- (5) Parking for unloading, loading and cleaning. Any recreational equipment may be parked anywhere on a residential premises for no more than 24 hours during any given week while loading, unloading, or cleaning.

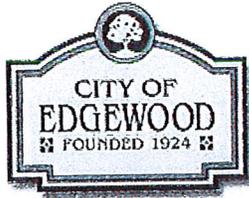
The City Code is stated above and suggests alternatives for storing the boat and trailer. This is a courtesy notice before a violation is issued. Please have the boat be removed from the side of the home on or before **April 20, 2018**. If you have any questions I can be reached at by email or phone at [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov) or (407) 851-2920.

Sincerely,

Virginia Renteria  
Code Enforcement Officer

405 Larue Avenue Edgewood, FL 32809 | Phone: (407)851-2920 |

Email: [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov)



# APPLICATION FOR WAIVER

## Parking of Recreational Vehicles

Reference: City of Edgewood Code of Ordinances, Section 62-33 (d)

**REQUIRED FEE: \$350.00 (Please note this fee is non-refundable)**

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

PLANNING & ZONING MEETING DATE:	5/14/2018
---------------------------------	-----------

**IMPORTANT:** A completed Application for Waiver, with any necessary attachments, must be filed by the second Wednesday of the month for the first hearing on the second Monday of the following month. No application shall be deemed accepted unless it is complete and paid for.

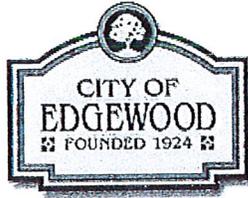
**REQUIREMENTS:**

- A notarized letter of authorization from Owner **MUST** be submitted if application is filed by anyone other than property owner.
- The waiver request must be accompanied by written acknowledgement from the majority of the abutting property owners that they do not object to the granting of such a waiver.
- Notices of the hearing to adjoining property owners on such waiver request shall be provided by the property owner and shall be sent to such adjoining property owners by certified mail. No formal posting is required.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	ALLEN MICHAEL & NANCY ANN CROWELL	Owner's Name:	Same
Address:	5550 LAKE MARY JESS SHORES CT	Address:	Same
Phone Number:	407-438-8455	Phone Number:	Same
Fax:		Fax:	
Email:	MC102344@AOL.COM	Email:	Same
Legal Description:	Lake Mary Jess Shores 8/130 Lot 7		
Zoned:	R1AA		
Location:			
Tract Size:	0.63 acres		
Reason For Waiver Request:	BOAT TRAILER PARKED AT SIDE OF HOUSE BEHIND THE FRONT SETBACK PER OUR HOA RESTRICTIONS. HAS BEEN THERE 26 YEARS		

405 Larue Avenue, Edgewood, Florida 32809  
 Phone: 407.851.2920 / Fax: 407.851.7361  
 Email: [bmeecks@edgewood-fl.gov](mailto:bmeecks@edgewood-fl.gov) Website: [www.edgewood-fl.gov](http://www.edgewood-fl.gov)



Any property owner who cannot meet the requirements of these sections and would suffer a hardship, if not allowed to park recreational equipment on his property, may apply to the planning and zoning board for a waiver from the restrictions imposed by this section for a specified period of time. Applicant must agree that:

- In granting any waiver the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of the Edgewood ordinances.

AGREE () DISAGREE ( )

EXPLANATION: \_\_\_\_\_

- Concerning ex-parte communications, the applicant shall not speak to members of the Planning and Zoning Board or the City Council prior to the Public Hearing related to said variance request in order that said board members shall not prejudice themselves prior to making process and determination will be in full view of the public, thereby providing due proceeding where a record of the proceedings may be kept.

AGREE () DISAGREE ( )

EXPLANATION: \_\_\_\_\_

Applicant's Signature	<i>Allen Michael Crowell</i>	Date:	<i>4-18-18</i>	<i>Nancy Ann Crowell</i>
Applicant's Printed Name	ALLEN MICHAEL CROWELL	Date:	4-18-18	NANCY ANN CROWELL
Owner's Signature	<i>same</i>			
Owner's Printed Name	<i>same</i>			

(Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached)

Please submit completed application to City Hall via email at [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) or to [srepp@edgewood-fl.gov](mailto:srepp@edgewood-fl.gov), via facsimile at (407) 851-7361, or hand delivered to Edgewood City Hall located at 405 Larue Avenue. For additional questions, please contact Edgewood City Hall at (407) 851-2920.

OFFICE USE ONLY			
Received Date:	<i>4/19/2018</i>	Received By:	<i>Virginia Kenton</i>
Forwarded To:			
Notes:			

Revised: 4/5/2018

Request for Waiver of recreational vehicle parking located at:

Mike and Nancy Crowell

5550 Lake Mary Jess Shores Court

Orlando, FL 32839

I agree that the placement of their boat trailer on the side of their home behind the front setback is of no issue to me.

Doug or Laurie Spencer

5604 Lake Mary Jess Shores Court

Orlando, FL 32839

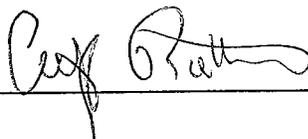
Signed 

I agree that the placement of their boat trailer on the side of their home behind the front setback is of no issue to me.

Cliff or June Rathbun

5542 Lake Mary Jess Shores Court

Orlando, FL 32839

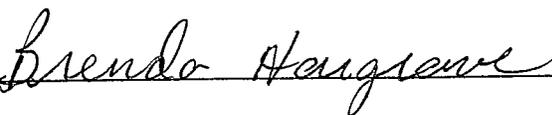
Signed 

I agree that the placement of their boat trailer on the side of their home behind the front setback is of no issue to me.

Brenda or Vernon Hargrave

5605 Lake Mary Jess Shores Court

Orlando, FL 32839

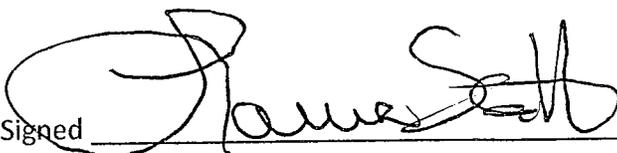
Signed 

I agree that the placement of their boat trailer on the side of their home behind the front setback is of no issue to me.

John or Laura Scott

220 West Mary Jess Road

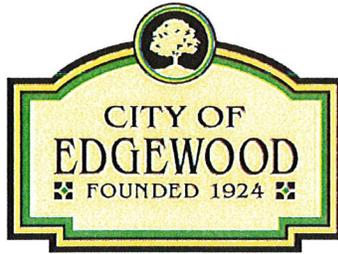
Orlando, FL 32839

Signed 

Left ~~Spencer~~ Residence

Right Crowell Residence





April 13, 2018

Nancy Ann & Michael Allen Crowell  
5550 Lake Mary Jess Shores Court  
Orlando, FL 32839

Dear Mr. and Mrs. Crowell,

Your trailer has been parked in the side of your home which is a violation of our City Code Section 62-33. - Parking, storage and use of recreational equipment, Subsection (C) Subsection 2,3,4 and 5 — Parking and storage restriction to recreational equipment. The parking prohibition in subsection (b) of this section shall also be applicable to all other recreational equipment, unless it complies with one of the following:

- (2) Any recreational equipment may be parked or stored in a fully enclosed garage or stored entirely in a carport.
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- (4) The parking of recreational equipment under this subsection in side and rear lot areas is permitted only if fences, walls and/or landscape screening including hedges, trees, et cetera, of heights necessary to substantially screen the view of the recreational equipment shall be constructed and planted so as to buffer adjacent residential properties. If the property is on a corner lot or a rear lot which abuts a street, the side or rear lot where any recreational equipment is parked or stored must be substantially screened such that the recreational equipment cannot be viewed from the side or back street.
- (5) Parking for unloading, loading and cleaning. Any recreational equipment may be parked anywhere on a residential premises for no more than 24 hours during any given week while loading, unloading, or cleaning.

The City Code is stated above and suggests alternatives for storing the trailer. This is a courtesy notice before a violation is issued. Please have the trailer removed from the side of the home on or before **April 20, 2018**. If you have any questions I can be reached at by email or phone at [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov) or (407) 851-2920.

Sincerely,

Virginia Renteria  
Code Enforcement Officer

405 Larue Avenue Edgewood, FL 32809 | Phone: (407)851-2920 |

Email: [vrenteria@edgewood-fl.gov](mailto:vrenteria@edgewood-fl.gov)

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ORDINANCE NO. 2018-07

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA,  
RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE  
CITY OF EDGEWOOD CODE OF ORDINANCES TO ALLOW  
AND REGULATE ELECTRONIC CHANGEABLE MESSAGE  
SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR  
CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.**

**WHEREAS**, the regulation of signs is necessary to protect the public health, safety and welfare of the citizens, businesses and visitors to the City of Edgewood (“the City”); and

**WHEREAS**, the City Council recognizes that technology for electronic changeable message signs has substantially changed in recent years; and

**WHEREAS**, the City Council finds that electronic changeable message signs, when appropriately regulated, provide an efficient and economic manner of advertising; and

**WHEREAS**, research and studies have shown that electronic changeable message signs should not resemble traffic signs or other traffic indicators to ensure that digital signage does not compete with traffic signs or other traffic indicators and to avoid driver confusion [*Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs, Final Report*, J. Wachtel, April 2009, pp. 52-53]; and

**WHEREAS**, the City Council finds that blinking, Flashing, animated, exploding, moving, audible, or scrolling messages or signs have proven to be difficult to ignore and therefore are ill-advised due to driver distraction and safety [J. Wachtel pp. 52-53; 326, 328]; and

**WHEREAS**, recent LED or other digital signage technology has the ability to allow “interaction” with individual drivers through a vehicle’s computer system, radio frequency system, or other means, such that the sign can depict a personalized message to the driver; still other digital signs can encourage drivers to interact with the sign by texting a message or calling a number on the sign, or can even capture images of drivers or passengers [J. Wachtel pp. 6, 9]; and

**WHEREAS**, the City Council finds and determines that prohibiting interactive LED or other digital signage ensures driver safety by reducing driver distraction; and

**WHEREAS**, excessively bright electronic signage draws attention to itself away from the roadway and official signs [J. Wachtel pp. 21-22]; and

**WHEREAS**, studies and research consistently recommend, and numerous states have found, that regulations and guidelines concerning brightness, message duration,

47 instantaneous change intervals between displays, prohibition of visual or special effects  
48 between displays, prohibition of message sequencing, and spacing between digital  
49 outdoor signs can reduce driver distraction and safety concerns and can minimize the  
50 potential for adverse effects posed by the unique attributes of such digital signs [J.  
51 Wachtel pp. 5, 134, 145-149; *Memorandum re: Guidance on Off-Premise Changeable*  
52 *Message Signs*, Federal Highway Administration, September 25, 2007]; and  
53

54 **WHEREAS**, a policy espoused in a memorandum issued by the U.S. Department  
55 of Transportation Federal Highway Administration dated July 17, 1996, was premised  
56 upon the concept that electronic changeable messages that are fixed for a reasonable time  
57 period do not constitute “moving” signs [*Memorandum re: Guidance on Off-Premise*  
58 *Changeable Message Signs*, Federal Highway Administration, September 25, 2007]; and  
59

60 **WHEREAS**, the City Council finds that this Ordinance is concerned with the  
61 secondary effects of speech including but not limited to aesthetics and traffic safety, and  
62 are not intended to regulate viewpoints or censor speech, and for those and other reasons  
63 that the foregoing provisions are not subject to, or would not fail, a “prior restraint”  
64 analysis; and

65 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
66 **THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:**

67 **SECTION ONE.** The findings set forth in the recitals above are hereby adopted  
68 as legislative findings of the City Council pertaining to this Ordinance.

69 **SECTION TWO.** Chapter 122, “Signs,” of the City of Edgewood Code of  
70 Ordinances is hereby amended as follows (Note: additions are indicated by underline,  
71 deletions are indicated by ~~strikethrough~~, and portions of the Code that remain unchanged  
72 and which are not reprinted here are indicated by ellipses (\*\*\*):

73 **Sec. 122-2. Definitions.**

74 *Abandoned sign:* A sign which for a period of a least 90 days no longer correctly relates  
75 to a bona fide business, lessee, owner, or activity conducted on the premises where the  
76 sign is displayed; and/or a sign that has been damaged when repairs and restoration are  
77 not started within 90 days of the date the damage occurred, or when repairs are not  
78 diligently pursued, once started.

79 *Alter:* To make a change to a sign or sign structure, including but not limited to, changes  
80 in size, sign copy area to signs other than manual changeable copy signs, height,  
81 projection, illumination, shape, materials, placement and location on a site. Altering a  
82 sign does not include ordinary maintenance, repair or repainting an existing sign surface  
83 provided the sign copy area is not increased.

84 *Anchor tenant:* the major store(s) upon a multiple-occupant parcel that occupies building  
85 square footage on-site with a minimum area of ten thousand (10,000) square feet.

86 *Animated sign:* A sign which has any visible moving part, color change, Flashing or  
87 oscillating lights, visible mechanical movement of any description, or other apparent  
88 visible movement achieved by any means that move, change, flash, oscillate or visibly  
89 alters in appearance. The term may include, but is not limited to, electronic changeable

90 signs with optical illusion of movement, color change, or change of lighting, to depict  
91 action or create a special effect or scene; and signs using electronic ink, signs set in  
92 motion by wind or other movement of the atmosphere, any sign set in motion by  
93 intentional movement by a person, any type of screen using animated or Scrolling  
94 displays, such as an LED (light emitting diode) screen or any other type of video display.

95 *Attached sign:* A sign permanently attached to a building or structure.

96 *Awning:* A shelter projecting from and supported by the exterior wall of a building  
97 constructed of rigid or non-rigid materials on a supporting Framework that may include a  
98 type that can be retracted, folded or collapsed against the wall of a supporting building.

99 *Awning sign:* A sign incorporated into an awning.

100 *Banner:* A sign applied to cloth, plastic, paper, fabric or other light pliable material of  
101 any kind either with or without Frames; and which is suspended, mounted or attached  
102 across its longest side to buildings or attached at two ends to building, poles or natural  
103 elements.

104 *Beacon:* A stationary or revolving light which flashes or projects illumination, single  
105 color or multicolored, in any manner which has the effect of attracting or diverting  
106 attention, except, however, this term does not include any kind of lighting device which  
107 is required or necessary under the safety regulations of the Federal Aviation  
108 Administration or other similar agency. This definition does not apply to any similar  
109 type of lighting device contained entirely within a structure and which does not project  
110 light to the exterior of the structure.

111 *Bench sign:* A sign on an outdoor bench.

112 *Billboard:* Any off-site sign or sign structure.

113 *Building frontage:* The vertical side of a building which faces a public right-of-way and  
114 is built to the principle plane.

115 *Changeable copy sign:* A non-electronic sign, or portion thereof, that is designed so that  
116 characters, letters or illustrations can be manually changed or rearranged without altering  
117 the sign face.

118 *Clearance:* The distance between the finished grade to the lowermost portion of the sign  
119 cabinet or face.

120 *Cold air inflatable sign:* A balloon-type sign with a blower (fan) system which runs to  
121 keep the sign inflated.

122 *Commercial message:* Any sign wording, logo, or other representation or image that  
123 directly or indirectly names, advertises, or calls attention to a product, service, sale or  
124 sales event or other commercial activity.

125 *Construction sign:* A temporary on-site sign identifying the ongoing construction activity  
126 during the time that a building permit is active and prior to completion of the work for  
127 which the permit was issued, and containing sign copy that is limited to the ongoing  
128 construction activity and identifying the contractor, professionals and/or any  
129 subcontractor engaged to perform construction activity on the site.

130 *Copy*: The combination of individual letters, numbers, symbols, depictions and the like,  
131 which are intended to inform, direct or otherwise transmit information.

132 *Copy area*: the entire area of the sign occupied by copy. Copy area is measured by  
133 enclosing by one continuous perimeter line the extreme limits of the sign which contains  
134 copy, including all ornamental attachments, insignias, symbols, logos, trademarks,  
135 interconnecting links and the like, and any stripe, Frame or border. Copy area does not  
136 include the main support structure of the sign unless it contains copy. The calculation for  
137 a double faced sign shall be the area of one (1) face only. When signs are enclosed in a  
138 cabinet or border, the internal perimeter of such cabinet or border will be used to  
139 calculate copy area.

140 *Display Time*: the time interval that a static message or frame remains on an Electronic  
141 Changeable Message Sign before transitioning to the next message or frame.

142

143 *Dissolve*: a mode of message transition on an Electronic Changeable Message Sign  
144 accomplished by varying the light intensity or pattern, where the first message gradually  
145 appears to dissipate and lose legibility simultaneously with the gradual appearance and  
146 legibility of the second message.

147 *Electronic Changeable Message Sign*: A sign that uses changing lights or an electronic  
148 medium to form an image, picture, or message of any kind, whether the image, picture, or  
149 message is moving or stationary, wherein the sequence of the messages and the rate of  
150 change are electronically programmed and can be modified by electronic processes.  
151 Electronic changeable signs include LED signs (light emitting diode technology or other  
152 similar semiconductor technology), OLED signs (transmissive, organic light emitting  
153 diodes), LEP signs (light emitting polymer), OEL signs (organic electro luminescence),  
154 or any similar technology.

155 *Erect*: To construct, assemble, attach, hang, place, suspend, affix or alter a sign. Does not  
156 include ordinary maintenance, repair or repainting of an existing sign surface provided  
157 the copy area is not increased.

158 *Fade*: a mode of message transition on an Electronic Changeable Message Sign  
159 accomplished by varying the light intensity, where the first message gradually reduces  
160 intensity to the point of not being legible and the subsequent message gradually increases  
161 intensity to the point of legibility.

162

163 *Flashing*: a rapid on and off display of messages, also defined as a message being  
164 displayed for less than the identified Display Time in the regulation.

165 *Fuel pump sign*: A sign located upon or integrated into a fuel pump.

166 *Flag*: A piece of fabric of distinctive design that is displayed hanging free from a staff,  
167 halyard, structure, or flag pole. Flags are not banners.

168 *Frame*: a complete, static display screen on an Electronic Changeable Message Sign.

169 *Freestanding sign*: Any sign supported by structures or supports that are placed on or  
170 anchored in the ground and that are independent of any building or other structure.

171 *Governmental right-of-way signs:* a sign erected by a governmental agency upon a public  
172 right-of-way.

173 *Ground sign:* a free-standing sign placed in or upon the ground.

174 *Hanging sign:* An attached sign that hangs or projects below the underside of an  
175 awning, canopy, arcade, eave, overhang, or other covering that projects outward from  
176 the face of a building.

177 *Illuminance:* the amount of light striking a lit object at a given distance (in this case a  
178 passersby eye), measured in foot candles.

179 *Illuminated sign:* A sign illuminated by an internal light source or an external light  
180 source primarily designed to illuminate the sign.

181 *Interactive Sign:* A sign that has the ability to change the display based on the person or  
182 vehicle passing by.

183 *Large parcel sign:* a freestanding sign with sign height no greater than sixteen feet with a  
184 solid appearing base located on the ground with no airspace between the base and the  
185 sign cabinet. Large parcel signs are only allowed upon multi-occupant parcels at least  
186 five acres in size that have a parcel depth of at least 375 feet measured from the front  
187 property line to the rear property line.

188 *Low-profile sign:* A freestanding sign with a sign height no greater than eight and one  
189 half (8 ½) feet that either has 1) a solid appearing base located on the ground with no  
190 more than two feet of airspace between the base and the sign cabinet or sign face or 2) is  
191 supported by one or more vertical supports with no more than two feet of airspace  
192 between the ground or base and the bottom of the sign cabinet or sign face.

193 *Maintenance:* The repairing or repainting of a portion of a sign or sign structure when  
194 neither the sign size nor copy area are altered; or manually changing changeable copy or  
195 renewing the copy for signs which have been made unusable by ordinary wear provided  
196 neither the sign size nor copy area are altered.

197 *Multi-occupant parcel:* A tax parcel that contains two or more distinct occupants  
198 internally separated by firewalls or demising walls, or in separate buildings.

199 *Non-commercial message:* Any message that is not a commercial message.

200 *Nonconforming sign:* Any sign that was lawful when it was erected but does not meet the  
201 requirements of this Chapter at the time of its effective date.

202 *Off-site sign:* A sign that identifies activities conducted or products or services that are  
203 not available on the premises on which the sign is located.

204 *On-site sign:* A sign that (1) is located on the premises to which the sign pertains (2)  
205 identifies an activity conducted or products or services available on the premises where  
206 the sign is located, (3) displays a non-commercial message or (4) is any combination of  
207 the first 3.

208 *Permanent sign:* Any sign which, when installed, is intended for permanent use. For the  
209 purposes of this Chapter, any sign with an intended use in excess of 90 days from the date

210 of installation shall be deemed a permanent sign unless otherwise indicated elsewhere in  
211 this Chapter.

212 *Person:* Any person or persons, individual or groups of individuals, company, firm,  
213 corporation, partnership, organization or association.

214 *Pole sign:* A freestanding sign that is supported from the ground up by one or more  
215 vertical supports and which does not meet the definition of a low-profile sign or tall-  
216 profile sign. The definition of pole sign does not include flags, traffic control device  
217 signs, or parking space identifications signs.

218 *Portable sign:* a sign that is not permanently affixed to or planted in the ground or  
219 permanently affixed to a permanent structure utilizing standard construction procedures  
220 and materials that will not deteriorate.

221 *Premises:* A lot together with all buildings and structures if any.

222 *Projecting sign:* An attached sign permanently affixed to a building or other structure in  
223 such a manner that the sign face is not parallel with the wall or structural component to  
224 which it is attached.

225 *Roof signs:* Any sign erected, constructed and maintained wholly upon or above the edge  
226 of the roof eave of any building with the principal support along or atop the roof  
227 structure.

228 *Safety sign:* See Warning signs.

229 *Scrolling:* a mode of message transition on an Electronic Changeable Message Sign  
230 where the message appears to move vertically down or up the display surface.

231 *Sign:* Any surface, fabric, device or display which bears lettered, pictorial or sculptured  
232 matter, including forms shaped to resemble any human, animal or product designed to  
233 convey information to the public and is visible from an abutting property, from a public  
234 street, sidewalk or right-of-way, or from a body of water. For the purpose of this  
235 development code, the term "sign" shall include all structural members including the  
236 base. A sign shall be construed to form a single unit. In cases where matter is displayed in  
237 a random or unconnected manner without organized relationship of the components, each  
238 such component shall be considered a single sign. The term sign shall not include:  
239 holiday or seasonal decorations, merchandise displays located within a building,  
240 cemetery markers, or machinery or equipment signs.

241 *Sign cabinet:* a Frame or external structure that encloses the edges of one or more sign  
242 panels.

243 *Sign face:* The part of the sign that is or can be used to identify, display, advertise,  
244 communicate information, or for visual representation which attracts or intends to attract  
245 the attention of the public for any purpose.

246 *Sign height:* The vertical distance measured from the natural contour of the parcel to the  
247 topmost point of the sign structure.

248 *Sign panel:* A single surface upon which copy is printed which can be installed in a sign  
249 cabinet or attached to a sign structure.

250 *Sign structure*: Any structure which is designed specifically for the purpose of supporting  
251 a sign, has supported, or is capable of supporting a sign. This definition shall include any  
252 decorative covers, braces, wires, supports, or components attached to or placed around  
253 the sign structure.

254 *Snipe sign*: Any sign tacked, nailed, fastened, affixed to, painted, posted, pasted, glued or  
255 otherwise attached to trees or other vegetation (living or dead), telephone poles, utility  
256 poles, or fences, with the message appearing thereon not applicable to the owner of utility  
257 poles or present use of the premises upon which the sign is located.

258 *Static*: Motionless.

259 *Statutory sign*: A sign required by any statute of the State of Florida or the United States.

260 *Street address sign*: Any sign denoting the street address of the premises on which it is  
261 attached or located.

262 *Tall-profile sign*: a freestanding sign that has a sign height no greater than sixteen (16)  
263 feet and the bottom of the sign cabinet or sign face no lower than seven (7) feet above  
264 ground and which has the appearance of a single vertical support that is at least twelve  
265 (12) inches in width and no more than one third (1/3) of the width of the sign face.  
266 Vertical supports or support casings shall be constructed of durable non-corrosive  
267 material, permanently affixed to the ground and sign face or sign cabinet and shall be  
268 either be monotone or utilize brick or stone of a single color.

269 *Temporary sign*: a sign which is not designed, constructed, or intended to be placed for a  
270 period of sixty days or fewer.

271 *Traffic control device sign*: Any sign located within the right-of-way that is used as a  
272 traffic control device and that is described and identified in the Manual on Uniform  
273 Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator  
274 as the National Standard. A traffic control device sign includes those signs that are  
275 classified and defined by their function as regulatory signs (that give notice of traffic laws  
276 or regulations), warning signs (that give notice of a situation that might not readily be  
277 apparent), and guide signs (that show route designations, directions, distances, services,  
278 points of interest, and other geographical, recreational, or cultural information). Some  
279 traffic control device signs may be portable.

280 *Transition*: A visual effect used on an Electronic Changeable Message Sign to change  
281 from one message to another.

282

283 *Traveling*: A mode of message transition on an Electronic Changeable Message Sign  
284 where the message appears to move horizontally across the display surface.

285

286 *Vehicle sign*: One or more signs on any vehicle or trailer which have a total sign area in  
287 excess of ten square feet, when the vehicle or trailer is not regularly used in the conduct  
288 of the business or activity advertised on the vehicle, and (a) is visible from a street right-  
289 of-way within 100 feet of the vehicle, and (b) is parked for more than five consecutive  
290 hours within 100 feet of any street right-of-way; for the purposes of this definition, a  
291 vehicle shall not be considered "regularly used in the conduct of the business or activity"  
292 if the vehicle is used primarily for advertising.

293 *Wall sign:* An attached sign permanently affixed to a building or other structure in such  
294 a manner that the sign face is flush against and parallel with the wall or structural  
295 component to which it is attached.

296 *Warning sign or safety sign:* A sign that provides warning of a dangerous condition or  
297 situation that might not be readily apparent or that poses a threat of serious injury (e.g.,  
298 gas line, high voltage, condemned building, etc.) or that provides warning of a violation  
299 of law (e.g., no trespassing, no hunting allowed, etc.).

300 *Window sign:* Any sign attached to, suspended behind, placed or painted upon, the  
301 window or glass door of a building, which is intended for viewing from the exterior of  
302 the building.

303

304 \* \* \*

305

306 **Sec. 122-10. Prohibited Signs.**

307 The following types of signs are prohibited:

308 A. Abandoned signs

309 B. Balloons, cold air inflatables, streamers, and pennants.

310 C. Banner signs except as expressly allowed in Section 122-12 herein.

311 D. Bench signs, other than the identification of the transit company or its route schedule.

312 E. Billboards.

313 ~~F. Electronic changeable message signs unless otherwise specifically allowed herein.~~

314 GF. Pavement markings, except street addresses and vehicle directional arrows.

315 HG. Portable signs except as expressly authorized in Section 122-12 herein.

316 IH. Pole signs.

317 IJ. Roof signs.

318 KJ. Signs in or upon any lake or other body of water.

319 LK. Signs erected by other than a governmental entity on or extending into publicly-  
320 owned land, easements or rights-of-way.

321 ML. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.

322 NM. Signs that have unshielded illuminating devices or which reflect lighting onto  
323 public rights-of-way thereby creating a potential traffic or pedestrian hazard.

324 ON. Animated signs or signs that appear to display motion in any way whatsoever,  
325 including beacons.

326 PO. Signs that obstruct, conceal, hide, or otherwise obscure from view any traffic control  
327 device sign or official traffic signal.

328 QP. Snipe signs.

- 329 ~~R~~Q. Obscene signs.
- 330 ~~S~~R. Hazardous signs.
- 331 ~~T~~S. Vehicle signs.
- 332 ~~U~~T. Any sign that is not specifically described or enumerated as permitted.
- 333 ~~V~~U. Signs attached to temporary structures.

334  
335 \* \* \*

336  
337 **Sec. 122-11. General Standards.**

338 A. Distance requirements. Except as otherwise provided herein, no sign shall be located  
339 within twenty feet of any side property line of a parcel and at least 20 feet from existing  
340 public road curbs or pavement. No freestanding sign shall be located within fifty feet of  
341 any other permanent freestanding sign.

342 B. Illuminated signs.

- 343 1. The light from any illuminated sign shall be shaded, shielded, or directed away  
344 from adjoining street rights-of-way and properties.
- 345 2. No sign shall have blinking, Flashing, or fluttering lights or other illumination  
346 devices which have a changing light intensity, brightness, color, or direction.
- 347 3. No colored lights shall be used at any location or in any manner so as to be  
348 confused with or construed as traffic-control devices.
- 349 4. Neither the direct nor the reflected light from primary light sources shall create  
350 a traffic hazard to operators of motorized vehicles, bicycles or pedestrians.

351 C. Electronic Changeable Message Signs. In addition to any other applicable provisions  
352 of this article and code, the following minimum standards shall apply to all Electronic  
353 Changeable Message Signs:

354 1. Location. An Electronic Changeable Message Sign may be incorporated  
355 into Low Profile and Large Parcel Signs located on property with frontage on  
356 Orange or Hansel Avenues. An Electronic Changeable Message Sign will not be  
357 permitted on other signs or locations.

358 2. Size. The Electronic Changeable Message Sign may only occupy a  
359 maximum of 50% of the sign area and a maximum of 50% of the sign height.

360 3. Operational Limitations.

361 a. The Electronic Changeable Message Sign shall only contain static  
362 messages. Movement, or the appearance or optical illusion of movement,  
363 of any part of the sign structure, design, or pictorial segment of the sign,  
364 including the movement or appearance of movement of any illumination  
365 or the flashing, scrolling, traveling, or varying of light intensity shall be  
366 prohibited.

- 367                    b. Such signs shall not emit noise or use sound.
- 368                    c. The Electronic Changeable Message Sign shall not have lighting that  
369                    would compete with or distract from traffic signal lighting.
- 370                    d. Interactive Signs are prohibited.
- 371                    4. Minimum Display Time. Each message on the sign must be displayed for a  
372                    minimum of 10 seconds.
- 373                    5. Message Change Sequence/Transition of Message. The change of messages  
374                    must be accomplished instantaneously; only static transitions shall be allowed.  
375                    Message changed by fade, dissolve, scrolling, traveling, or similar animated  
376                    images that appear to move or change in size is prohibited.
- 377                    6. Default Display. The sign shall be equipped with an automatic shut off or  
378                    contain a default design to freeze the sign message in one position.
- 379                    7. Brightness / illumination. The illumination of an Electronic Changeable  
380                    Message Sign shall conform to the criteria below.
- 381                    a. The illuminance of an Electronic Changeable Message Sign shall be  
382                    measured with an illuminance meter set to measure foot candles accurate  
383                    to at least two decimals. Illuminance shall be measured with the Electronic  
384                    Changeable Message Sign off, and again with the Electronic Changeable  
385                    Message Sign displaying a white image. All measurements shall be taken  
386                    perpendicular to the face of the Electronic Changeable Message Sign at  
387                    the distance determined by the total square footage of the Electronic  
388                    Changeable Message Sign as set forth in the accompanying Sign Area  
389                    Versus Measurement Distance table (below).
- 390                    b. The difference between the off and white screen measurements shall  
391                    not exceed 0.3 foot candles.
- 392                    c. All permitted Electronic Changeable Message Signs shall be equipped  
393                    with a sensor that automatically determines the ambient illumination and  
394                    programmed to automatically dim according to ambient light conditions to  
395                    ensure compliance with the 0.3 foot candle limit in all light conditions.
- 396                    d. Prior to operational approval, the owner of the sign shall arrange for a  
397                    certification by an independent contractor showing compliance with  
398                    brightness standards. The certification shall be filed with the City Clerk.

SIGN AREA VERSUS MEASUREMENT DISTANCE

AREA OF SIGN sq. ft.	MEASUREMENT Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

\* For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance =  $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$

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8. Affidavit required. Prior to approval of the sign permit by the City, the property owner shall sign an affidavit attesting to understanding the requirements of Electronic Changeable Message Signage. The affidavit shall remain on file with the City Clerk.

405

406

€D. Awnings. Awnings may be allowed a graphic element and/or text provided such graphic and/or text does not exceed fifty percent of the awning surface area visible from

407 any right-of-way on which the graphic is placed and provided the maximum copy area for  
408 the premises is not exceeded.

409 DE. Building and electrical code compliance. All signs shall comply with applicable  
410 building and electrical code requirements.

411 EF. Maintenance. All signs and sign structures shall be kept consistent with the issued  
412 permit and maintained and kept in good repair free of chipped, flaking or Faded paint,  
413 structural decay, mildew, rust, and stains.

414 FG. Legibility. All copy shall be maintained so as to be legible and complete.

415 GH. Sight visibility triangles. All signs shall comply with all sight visibility triangle  
416 requirements under the provisions of Section 114-4(2) of the City of Edgewood Code of  
417 Ordinances.

418 HI. Safety considerations. In addition to any requirements of this Chapter, code, or other  
419 law, signs shall not be erected, maintained, and placed in such as way as to pose a safety  
420 hazard.

421 IJ. Number of signs. For the purpose of determining the number of signs, a single sign  
422 shall be construed to be a sign that has its copy area on one side and contains elements  
423 organized, related and composed to form a single unit. A sign with sign copy area on both  
424 sign faces shall be construed as a single sign provided the sign faces are not more than  
425 three feet apart at their closest point, and that they describe an internal angle between the  
426 sign faces of no more than thirty degrees.

427 JK. No limitation based on message content. Notwithstanding any other provision of this  
428 Chapter, no sign shall be subject to any limitation based on the content of the message  
429 contained on such sign.

430 **SECTION THREE. Severability.** If any section, subsection, sentence, clause,  
431 phrase, word or provision of this Ordinance is for any reason held invalid or  
432 unconstitutional by any court of competent jurisdiction, whether for substantive,  
433 procedural, or any other reason, such portion shall be deemed a separate, distinct and  
434 independent provision, and such holding shall not affect the validity of the remaining  
435 portions of this Ordinance.

436

437 **SECTION FOUR. Codification.** It is the intent of the City Council of the  
438 City of Edgewood that the provisions of this Ordinance shall be codified. The codifier is  
439 granted broad and liberal authority in codifying the provisions of this Ordinance.

440

441 **SECTION FIVE. Effective date.** This Ordinance shall take effect immediately  
442 upon adoption as provided by the Charter of the City of Edgewood.

443

444 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

445

446 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

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458

CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

---

John Dowless, Council President

ATTEST:

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Bea Meeks, MMC, CPM, CBTO  
City Clerk